



Journal of the Senate

Number 36

Monday, May 29, 1978

The Senate was called to order by Senator Henderson at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

INTRODUCTION

By Senators Poston, Holloway and Renick—

SB 1356—A bill to be entitled An act relating to Florida Keys Community College; authorizing the Board of Trustees to issue and retire revenue bonds for the construction of certain dormitory facilities at Florida Keys Community College; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1393, CS for HB 1886 and HB 2125 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Fulford—

HB 1393—A bill to be entitled An act relating to environmental control; amending ss. 253.126 and 403.061(16), Florida Statutes; providing that the Department of Environmental Regulation may allow certain state agencies to perform all activities regulated by chapters 253 and 403, Florida Statutes, upon certification that such agencies will meet all requirements for environmental control and protection; providing for investigation and enforcement; providing that, in certain related hearings before the Division of Administrative Hearings of the Department of Administration, the Department of Environmental Regulation may intervene as a party and may issue a final order adopting, rejecting, or modifying the division's recommended order; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By the Committee on Community Affairs and Representative Grizzle and others—

CS for HB 1886—A bill to be entitled An act relating to St. Petersburg Junior College, Pinellas County, Florida; providing for up to an annual one-half mill tax levy in Pinellas County, Florida; providing for a referendum election; providing that the proceeds of said tax levy shall not reduce state funding for St. Petersburg Junior College; providing an effective date.

—was read the first time by title and referred to the Committees on Education; and Rules and Calendar.

By the Committee on Education—

HB 2125—A bill to be entitled An act relating to facilities of the State University System; providing legislative intent; authorizing the Trustees of the Internal Improvement Trust Fund with approval of the Board of Regents to sell certain continuing education centers; appropriating proceeds from such sales to the Department of Education for acquiring replacement facilities; authorizing an alternative transfer of properties;

requiring appraisals and approval by the Board of Regents; providing an effective date.

—was read the first time by title and referred to the Committee on Education.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1887 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services—

HB 1887—A bill to be entitled An act relating to diabetes mellitus; amending s. 241.753, Florida Statutes, providing diabetes program duties of the Department of Health and Rehabilitative Services and the diabetes centers; amending s. 241.755(3), Florida Statutes, providing for membership of the Diabetes Advisory Council; amending s. 241.757(2), Florida Statutes, providing for general revenue funds; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1634 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Morgan and others—

HCR 1634—A concurrent resolution encouraging the purchase of The Grove, located in Leon County, Florida, by the Division of Recreation and Parks of the Department of Natural Resources.

—was read the first time by title and referred to the Committees on Rules and Calendar; and Appropriations.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed—

HB 927	HB 1346	HB 1657
HB 1464	HB 1656	HB 1648
CS for HB 1531	HB 1536	HB 1650
CS for HB 1660	HB 1649	HB 1653
HB 1652	HB 1655	HB 1713
HB 1661	HB 1704	HB 1808
HB 1746	HB 1774	HB 1828
HB 1809	HB 1814	HB 1874
HB 1848	HB 1857	HB 2067
HB 1884	HB 1924	HB 1636
HB 2068	HB 2154	HB 1812
HB 1654	HB 1721	HB 2114
HB 2017	CS for HB 2018	HB 2133
HB 2121	HB 2132	CS for HB 1679
HB 2146	HB 2167	
CS for HB 1802	HB 1347	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Mann (by request) and others—

HB 927—A bill to be entitled An act relating to the City of Cape Coral, Lee County; prohibiting commercial fishing and collecting of certain marine life in man-made canals in the City of Cape Coral; providing a penalty; providing for a referendum; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation; and Rules and Calendar.

By Representative Hawkins—

HB 1346—A bill to be entitled An act relating to the Immokalee Fire Control District, Collier County; amending section 9 of chapter 30666, Laws of Florida, 1955, reducing millage cap; eliminating the maximum dollar ability; providing for a referendum.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Hawkins—

HB 1347—A bill to be entitled An act relating to the Marco Island Fire Control District, Collier County; amending sections 4 and 6 of chapter 65-1413, Laws of Florida; authorizing provision of emergency rescue services; authorizing the fire control district board to enter into certain interdistrict agreements; removing a limitation upon the amount which may be annually realized from authorized millage; providing for a referendum; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative McPherson and others—

HB 1464—A bill to be entitled An act relating to Tindall Hammock Irrigation and Soil Conservation District, Broward County; amending section 5 of chapter 27428, Laws of Florida, 1951, as amended, by providing an increase in the authorized tax levy; amending section 7 of chapter 27428, Laws of Florida, 1951, by providing for an increase in the rate of interest the District may pay on loans of and other obligations of the District; amending section 8(a) of chapter 27428, Laws of Florida, 1951, by providing for an increase in the rate of interest the District may charge on District bonds; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 1656—A bill to be entitled An act relating to the Board of Adjustment of Pinellas County; repealing certain sections of chapter 26164, Laws of Florida, 1949, chapter 57-1730, Laws of Florida, and chapter 65-2102, Laws of Florida, as amended, relating to the board of adjustment; requiring designation of a board of adjustment pursuant to the authority of chapter 163, Part II, Florida Statutes; providing for continuance of existing permits, variances, and special exceptions; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 1657—A bill to be entitled An act relating to Pinellas County; authorizing the Board of County Commissioners to provide for clearance of real property in the unincorporated areas of Pinellas County; providing for an ordinance to govern clearance of real property; providing for a hearing before the Board of County Commissioners; providing for assessment of administrative fee and cost of clearance of property; providing for establishment of a lien on real property; providing for an

interest penalty upon liens; repealing chapters 57-1734 and 67-1927, Laws of Florida; providing for survival of existing liens; providing for severability; providing for an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representatives Neal and Haben—

CS for HB 1531—A bill to be entitled An act relating to Manatee County; creating a special park and recreation district, a political subdivision of the State of Florida, for the unincorporated area known as Fair Lane Acres, Fair Lane Acres First Addition, Fair Lane Acres Second Addition and Fair Lane Acres Third Addition Subdivisions as is more particularly set forth below according to the public records of Manatee County; providing for the administration of the affairs of said district by a board of nine trustees and defining their powers and duties; providing for the qualification of electors in the district and the manner of conducting the first election of trustees and for biennial election of trustees thereafter; providing for removal of trustees and appointment to fill vacancies; providing for the assessment and collection of a recreation district tax assessed against each improved residential parcel of real property within the district; providing that such district tax shall be a lien against each parcel of land so assessed and for the method of collecting such tax; providing for the deposit and disbursement of funds of the district; establishing a fiscal year and providing for publication of annual financial statements; authorizing the trustees of the district to issue bonds and other obligations of the district and to secure the same by pledge of tax revenues and other property of the district, and authorizing the trustees of the district to acquire and dispose of real and personal property for the general purposes of the district; authorizing the trustees of the district to promulgate rules and regulations for the use of facilities of the district; providing for the abolishment of the district; providing conditions precedent to the filing of suit against the district or any of the trustees thereof and relieving individual trustees from personal liability for obligations of the district; providing for a referendum; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Mann and Nuckolls—

HB 1536—A bill to be entitled An act relating to Hospital Board of Directors of Lee County; providing for liens in favor of the hospital, upon causes of action, suits, claims, counterclaims, and demands, accruing to patients therein, or their legal representatives, and upon judgments, settlements, and settlement agreements, on account of illness or injuries of such patients, for all reasonable charges for hospital care, treatment, and maintenance necessitated by such illness or injuries; providing for method of perfecting and enforcing such liens, and recovery of costs, attorney's fees, and expenses, and where suits thereon may be maintained; providing for no recovery of damages for hospital care, treatment, and maintenance, unless claimant therefor has paid costs thereof except in certain cases; providing for intervention by lienholder and verdict and judgment in favor of lienholder in certain cases; requiring claims for lien to be recorded and fees for recording; providing that no release or satisfaction shall be valid as against lien unless lienholder joins therein or executes release; providing that acceptance of release or satisfaction of any cause of action, suit, claim, counterclaim, demand, or judgment and any settlement in absence of release or satisfaction of lien shall prima facie constitute impairment of such lien, and giving lienholder right of action at law for damages on account of such impairment, and providing for recovery from one accepting release or satisfaction or making settlement; exempting from provisions of this act matters within purview of the workmen's compensation law of this state; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Woodruff and others—

HB 1648—A bill to be entitled An act relating to Pinellas County; amending section 2 and subsection (c) of section 3 of

chapter 72-666, Laws of Florida, increasing membership of the Pinellas Police Standards Council to include one member from each municipality having its own police department; providing for a quorum of 11 members; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Collective Bargaining; and Rules and Calendar.

By the Committee on Community Affairs and Representative T. Moore and others—

CS for HB 1660—A bill to be entitled An act relating to Pinellas County; creating and establishing the Pinellas County Air Quality Management Authority for the purpose of implementing and enforcing standards pertaining to air quality in Pinellas County; providing legislative intent; providing definitions; designating the Board of County Commissioners of Pinellas County as the Authority; providing duties and powers of Authority; authorizing appropriations; providing for adoption of rules and regulations; providing for emergency orders; providing a penalty; providing for injunctive relief; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 1649—A bill to be entitled An act relating to Pinellas County; repealing s. 421.53, Florida Statutes, which requires a referendum vote before a housing authority in Pinellas County may commence any housing project; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative McDonald and others—

HB 1650—A bill to be entitled An act relating to Pinellas County; amending section 4 of chapter 67-1930, Laws of Florida, to exclude from the Indian Rocks special fire control district all territory annexed into the municipal limits of the City of Largo, the City of Clearwater, or the Town of Redington Shores during the year 1963 and subsequent years; providing for the repeal of all laws in conflict herewith; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 1652—A bill to be entitled An act relating to Pinellas County; creating an aviation study commission to study the feasibility of establishing a single aviation authority for the management of all publicly-owned airports in the county; providing for the membership and organization of the commission; providing for a report of its findings and recommendations to the legislative delegation no later than February 1, 1979; providing for the duties of the commission; authorizing the board of county commissioners of Pinellas County, the city council of the City of St. Petersburg and the city commission of the City of Clearwater to furnish reasonable administrative, technical, secretarial, clerical and legal assistance; requiring Pinellas County and the City of St. Petersburg to jointly provide for the printing of the report; providing for the repeal of this act; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Woodruff and others—

HB 1655—A bill to be entitled An act relating to Pinellas County; repealing part I of chapter 75-489, Laws of Florida, re-

lating to countywide occupational licenses; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Kiser and others—

HB 1653—A bill to be entitled An act relating to Pinellas County and the municipalities therein; creating the "Pinellas Sundown II Act"; expressing the purpose of the act; repealing the following obsolete special laws: chapter 26146, Laws of Florida, 1949, relating to county health buildings; chapter 65-2117, Laws of Florida, relating to an appropriation for the Southern Training Center for Little League Baseball; chapter 67-1931, Laws of Florida, relating to street lighting districts; chapter 71-863, Laws of Florida, relating to municipal powers under chapter 167, Florida Statutes, which has been repealed; chapter 73-603, Laws of Florida, relating to the Pinellas County environmental task force; chapter 59-1742, Laws of Florida, relating to alcoholic beverage license for Italian American Club; chapter 59-1743, relating to alcoholic beverage license for Holiday Isles B.P.O.E.; chapter 63-1792, Laws of Florida, relating to alcoholic beverage license for Dunedin B.P.O.E.; chapter 69-1471, Laws of Florida, relating to alcoholic beverage license for Czechoslovak National Council of America; chapter 69-1473, Laws of Florida, relating to alcoholic beverage license for Commerce Club; chapter 71-871, Laws of Florida, relating to alcoholic beverage license for Knights of Columbus, Pius 12, Council No. 5131; chapter 71-876, Laws of Florida, relating to alcoholic beverage license for municipal or private golf clubs; chapter 72-656, Laws of Florida, relating to alcoholic beverage license for Knights of Columbus, Father Lopez Council, No. 5737; chapter 72-660, Laws of Florida, relating to alcoholic beverage license for Order of Sons of Italy, St. Petersburg Lodge 2017; chapter 72-665, Laws of Florida, relating to alcoholic beverage license for Treasure Island Tennis and Yacht Club Corporation; chapter 16629, Laws of Florida, 1933, chapter 17696, Laws of Florida, 1935, and chapter 18783, Laws of Florida, 1937, relating to game; chapters 59-1739 and 61-2666, Laws of Florida, relating to parking at the county airport; chapters 61-2663 and 65-2116, Laws of Florida, relating to the office of public defender; chapter 61-2670, Laws of Florida, relating to the parking of vehicles; chapter 18786, Laws of Florida, 1937, and chapter 67-1913, Laws of Florida, relating to the clerk of circuit court; chapters 70-458 and 71-494, Laws of Florida, relating to civil and criminal court of record; chapter 30260, Laws of Florida, 1955, relating to duties of senior county judge; chapter 26162, Laws of Florida, 1949, relating to Supervisor of Elections; chapter 20065, Laws of Florida, 1939, relating to public works projects on Boca Ciega and Tampa Bay; chapter 57-1735, Laws of Florida, relating to ice; chapter 11972, Laws of Florida, 1927, chapter 13679, Laws of Florida, 1929, chapter 16060, Laws of Florida, 1933, chapter 21849, Laws of Florida, 1943, and chapter 70-459, Laws of Florida, relating to the juvenile court; chapter 31175, Laws of Florida, 1955, relating to a permanent voter registration system; chapter 74-591, Laws of Florida, relating to uniform municipal election dates; chapter 71-865, Laws of Florida, relating to fresh pursuit by law officers; chapter 67-1906, Laws of Florida, relating to municipal audits; chapter 65-2106, Laws of Florida, relating to game or fish hatcheries; chapter 67-1918, Laws of Florida, relating to travel parks; part 1 of chapter 75-489, Laws of Florida, relating to countywide occupational licenses; chapters 59-1748, 61-2685, 61-2686, and 61-2687, Laws of Florida, relating to the Stadium Authority; chapter 71-861, Laws of Florida, relating to compensation of members of examining committees in all sanity cases; chapter 77-637, Laws of Florida, creating the Pinellas Sundown Act; repealing the following special laws and converting them into ordinances of the county or municipality to which such laws are applicable: chapters 63-1783 and 73-599, Laws of Florida, relating to local improvements; chapter 21489, Laws of Florida, 1941, relating to fairs and rodeos; chapter 24818, Laws of Florida, 1947, relating to public works; chapter 26164, Laws of Florida, 1949, chapters 57-1730, 65-2102, and 69-1493, Laws of Florida, relating to zoning; chapter 29443, Laws of Florida, 1953, and chapter 67-1929, Laws of Florida, relating to milk and milk products; chapter 31181, Laws of Florida, 1955, and chapter 69-1488, Laws of Florida, relating to frozen desserts; chapters 57-1737 and 59-1740, Laws of Florida, relating to subdivisions; chapters 57-1734 and 67-1927, Laws of Florida, relating to land clearing; chapters 61-2667, 63-1795 and 65-2120, Laws of Florida, relating to garbage, trash and junk; chapter 61-2674, Laws

of Florida, relating to the selling of secondhand items; chapter 63-1787, Laws of Florida, relating to welfare; chapters 63-557 and 67-1921, Laws of Florida, relating to housing; chapter 67-1923, Laws of Florida, relating to residential and planned communities; chapters 61-2668 and 69-1492, Laws of Florida, relating to county law libraries; chapter 67-1910, Laws of Florida, relating to the county medical examiner; chapter 20067, Laws of Florida, 1939 and chapter 31178, Laws of Florida, 1955, relating to Mullet Key; requiring the chairman of the Pinellas County legislative delegation, pursuant to the authorizations contained in chapter 61-2677, Laws of Florida, to request funds and retain an attorney to review specified special laws after June 30, 1978 and before January 1, 1979, to determine if there is a public need for services provided under said special laws and if the need is being adequately met; providing for public hearings; providing for review criteria; providing for a report of findings and recommendations to the Pinellas County legislative delegation no later than February 1, 1979; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 1661—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; amending section 20 of chapter 30658, Laws of Florida, 1955, as amended, relating to the Firemen's Relief and Pension Fund of the Fire Department of the City of Clearwater, providing that a pension or adjustment may not be calculated on the compensation of a rank higher than that of a captain; providing severability; providing for repeal of all laws in conflict herewith; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Thompson and Hodges—

HB 1704—A bill to be entitled An act relating to Taylor County; amending ss. 4 and 8 of chapter 31319, Laws of Florida, 1955, to provide for the appointment of members of the Taylor County hospital board by the Taylor County Board of County Commissioners instead of by the Governor; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Hagler and others—

HB 1713—A bill to be entitled An act relating to the City of Pensacola, Escambia County; relating to the Pensacola Housing Authority established by chapter 421 of the Florida Statutes; providing that section 421.07, Florida Statutes, shall not apply to the Housing Authority of the City of Pensacola; providing that a Commissioner of the Pensacola Housing Authority may be removed by the Mayor with the concurrence of the City Council of the City of Pensacola for any reason; providing for appointment of a successor; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Danson and others—

HB 1746—A bill to be entitled An act relating to Sarasota and Manatee Counties; amending section 4(r) of chapter 77-651, Laws of Florida, the Sarasota-Manatee Airport Authority Act, relating to powers of the authority; empowering the authority to remove unauthorized vehicles from authority property under certain conditions.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 1774—A bill to be entitled An act relating to Pinellas County; providing for the vesting of title to potable water lines, sanitary sewer lines, and storm drainage facilities in the governmental body having authority and jurisdiction over such utilities which have been placed or in the future will be placed in public rights-of-way or dedicated easements in said county; providing for retroactive application; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Taylor and others—

HB 1808—A bill to be entitled An act relating to Palm Beach County; authorizing the Board of County Commissioners of Palm Beach County to grant a non-exclusive franchise for the construction, maintenance, or removal of lines, poles and facilities within the unincorporated areas of Palm Beach County, Florida, along any public property of the County for the transmission, distribution or sale of electricity; providing for the term of such non-exclusive franchise; providing for the payment of a fee to Palm Beach County for such right and privilege; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative T. Lewis and others—

HB 1809—A bill to be entitled An act relating to The South Indian River Drainage District in Palm Beach County; amending section 6 of chapter 71-820, Laws of Florida; authorizing the Board of Supervisors of the district to expend funds not in excess of \$8 per acre per year for a period not in excess of 2 years to pay for the improvement of dedicated roads and road rights-of-way; authorizing engineering studies for the purpose of planning a road improvement program and determining the cost thereof; adding a section 12 to chapter 71-820, Laws of Florida; authorizing the Board of Supervisors of the district to amend the Sixth Amended Plan of Reclamation within 2 years, which amendment would define dedicated roads and road rights-of-way within the district as works of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Healey and others—

HB 1814—A bill to be entitled An act relating to Palm Beach County; amending sections 1 through 5 of chapter 31118, Laws of Florida, 1955, as amended, relating to franchises for garbage and waste collection and disposal; authorizing the Board of County Commissioners to limit the terms of franchises; providing for award based upon competitive bidding; providing for the grant of franchise, bond, rate schedule, consideration; providing for rate changes; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Williams—

HB 1828—A bill to be entitled An act relating to Clay County; repealing section 1 of chapter 30656, Laws of Florida, 1955, as amended, relating to the \$5,000 limitation on funds used from the board of county commissioners' annual budget for publicity and promotional purposes and the \$1,000 limitation on display advertising in newspapers, magazines, and other periodicals; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Frank and others—

HB 1848—A bill to be entitled An act relating to Hillsborough County; amending sections 5, 8, 17, and 21 of chapter 69-1121, Laws of Florida, as amended, relating to the Hillsborough County Civil Service Board; recognizing those persons paid principally by virtue of certain state or federal funds as temporary unclassified employees; allowing certain unclassified employees and permanent classified employees who transfer to permanent classified or permanent unclassified positions to incur no loss of benefits by virtue of said transfer; requiring hearings before the board to exclude irrelevant evidence; requiring the board to state its findings in writing; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Fortune and others—

HB 1857—A bill to be entitled An act relating to the City of Milton, Santa Rosa County; adding subsections (29) and (30) to s. 1 of chapter 73-551, Laws of Florida, and amending ss. 19(2), 20, 21(1), 25(1)(a), (4), (5) and (6), and 31(1)(c) of said chapter, relating to the civil service system of the City of Milton; providing for duties to be performed by the city clerk, in the case of clerk employees, with respect to filling vacancies, probationary periods, reductions in force, disciplinary action, and physical and mental examinations; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Hagler and others—

HB 1874—A bill to be entitled An act relating to the city of Pensacola, Escambia County; providing for a civil service system for certain employees of the City; establishing a Civil Service Board to administer the system; setting the powers, duties and responsibilities of the Board and the term of office, qualification, election and disqualification of Board members; providing methods and terms of employment and provisions for promotion, discipline, discharge and determination of disability of employees under the system; stating general and specific provisions for the regulation and administration of the system and its employees; providing that violations of certain provisions shall constitute crimes; repealing chapters 63-1775, 65-2097, 67-1903, 69-1467, 70-887, 71-851, 73-589, 76-468, 77-629, and 77-631, Laws of Florida, relating to Civil Service of the City of Pensacola; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Forbes and others—

HB 1884—A bill to be entitled An act relating to the City of Jacksonville; providing for certain sick leave benefits for the employees of the City of Jacksonville; providing for retroactive compensation pursuant to s. 215.425, Florida Statutes; allowing certain benefits for employees of the former county government of Duval County; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Craig—

HB 1924—A bill to be entitled An act relating to the Putnam County Development Authority; amending section 6 of chapter 61-2727, Laws of Florida, to allow five rather than seven members of the Putnam County Development Authority to constitute a quorum thereof; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Langley and Fechtel—

HB 2067—A bill to be entitled An act relating to Lake County; amending sections 1 and 2 of chapter 67-1609, Laws of Florida, declaring emergency medical treatment and service to be a county purpose; authorizing the board of county commissioners to acquire equipment for, pay the costs of, and charge fees for such treatment and service and to render such treatment and service free to indigent persons; authorizing the board to enter into agreements with certain agencies and entities including private nonprofit hospitals to provide such treatment and service; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Langley and Fechtel—

HB 2068—A bill to be entitled An act relating to Lake County; declaring the establishment, construction, operation and maintenance of certain hospitals in the county to be a public purpose and that the operation thereof by the Leesburg Hospital Association, Inc., is for the public good; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Culbreath—

HB 2154—A bill to be entitled An act relating to the Guidance Center of Hernando County; repealing subsection (5) of section 1 of chapter 76-254, Laws of Florida, relating to the restriction on a 10-acre grant to the Guidance Center of Hernando County which provides that in the event of any voluntary or involuntary encumbrance resulting from the use of the land the property would revert back to the state; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Ready and others—

HB 1636—A bill to be entitled An act relating to Fire District No. 1 of Polk County, a special tax district; amending chapter 63-1824, Laws of Florida, to increase the ad valorem millage cap from 1 mill to 2 mills; providing for a referendum election.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 1654—A bill to be entitled An act relating to Pinellas County; amending sections 5 and 7 of chapter 75-491, Laws of Florida, as amended, relating to the Pinellas Park Water Management District Area; providing for deletion from tax rolls of certain areas; providing for reversion of taxes collected; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Hollingsworth and Tucker—

HB 1721—A bill to be entitled An act relating to Madison County; amending section 2 of chapter 65-1869, Laws of Florida, to increase by \$1 million the aggregate sum of certificates of indebtedness, payable from a portion of racetrack funds accruing annually to Madison County, authorized to be issued by the board of public instruction to pay the costs of certain school projects; increasing the allowable interest rate; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative James and others—

HB 1812—A bill to be entitled An act relating to the Lake Worth Downtown Development Authority, Palm Beach County; amending section 8 of chapter 72-592, Laws of Florida, the "Lake Worth Downtown Development Authority Act," increasing the tax rate from 1 mill on each dollar of tax base to 3 mills on each dollar of tax base to commence the fiscal year beginning October 1, 1978, following approval by referendum; providing that a lower millage rate may be set by the Downtown Development Authority, and thereafter increased by said Authority in compliance with applicable law; providing for a referendum; setting forth the ballot and the means to determine the eligible voters; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Rish—

HB 2017—A bill to be entitled An act relating to Gulf County; creating, establishing, and organizing a fire control district in said county to be known and designated as the Overstreet Fire Control District; defining its territorial boundaries; providing for a board of fire commissioners; providing for government, administration, jurisdiction, powers, and privileges of said district; authorizing the Overstreet Fire District commissioners under certain conditions to purchase, operate and maintain fire control machinery and equipment; providing for the operation and use of said equipment; providing for the co-operation of the district with other fire control units adjacent to said district; providing for the interchange and use of fire control machinery and equipment with other fire control units adjacent to said district; providing for the appointment of a fire chief and assistants; providing for and authorizing upon the approval of a majority of the freeholders of the district voting in a millage election, the levy of an ad valorem tax upon all real and personal property in said district, not to exceed one half ($\frac{1}{2}$) mill for the purpose of purchasing, maintaining and operating fire control equipment and machinery; providing that the district shall not purchase such equipment unless funds are on hand to pay for same; providing that the fire chief of said district shall have full power to enforce all fire control laws of the state within the district; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representative Hodges—

CS for HB 2018—A bill to be entitled An act relating to Gilchrist County; amending section 1, chapter 65-1221, Laws of Florida, as amended; providing for distribution of racetrack revenues; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Hagler and others—

HB 2114—A bill to be entitled An act relating to Escambia County; amending Sections 1, 2, 3, 4, 5, 6 and 7 of Chapter 67-1369, Laws of Florida; providing for the fixing and determining of setback lines and distances from roads for the construction of buildings and other structures; providing for penalties for violations; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Hagler and others—

HB 2121—A bill to be entitled An act relating to Escambia County; amending sections 3.1., 3.2., 8.9., 8.91., 8.92., and 8.93. of chapter 76-370, Laws of Florida, as amended by chapter 77-548, Laws of Florida, and adding section 26 to said chapter,

relating to the Civil Service system of Escambia County; defining the applicability of said system; providing for holidays; providing for an Employees Advisory Committee; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Allen—

HB 2132—A bill to be entitled An act relating to Monroe County; authorizing and empowering the School Board of Monroe County to enter into interlocal agreements with the Lower Florida Keys Hospital District and other governmental agencies for joint food purchase programs and other joint ventures legally authorized; authorizing said board to adopt procedures, rules, and regulations for the operation of said joint ventures; repealing all laws and parts of laws, whether general or special, in conflict herewith; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Elections and Representative Melvin and others—

HB 2133—A bill to be entitled An act relating to Okaloosa County; repealing chapter 63-1684, Laws of Florida, as amended, relating to the county election commission; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Hodges—

HB 2146—A bill to be entitled An act relating to the Yankeetown-Inglis Special Water and Sewerage District, Levy County; repealing chapter 69-1251, Laws of Florida, as amended, relating to the creation of the Yankeetown-Inglis Special Water and Sewerage District; providing for the transfer of the assets of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Cassens and Patchett—

HB 2167—A bill to be entitled An act relating to St. Lucie County; amending chapter 68-102, Laws of Florida, which prohibits airboats in the savannahs; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representative Taylor—

CS for HB 1679—A bill to be entitled An act relating to the Loxahatchee River Environmental Control District; amending Section 2 of Chapter 75-475, Laws of Florida, which added Section 4A to Chapter 71-822, Laws of Florida, reducing the percentage of electors needed for recall of a board member; amending Section 4 of Chapter 75-475, Laws of Florida, which added Section 18 to Chapter 71-822, Laws of Florida, reducing the percentage of electors needed for initiative; amending Subsection (3) of Section 4 of Chapter 71-822, Laws of Florida, as amended, reducing the duration of the terms of board members from four (4) years to two (2) years; amending Section 3 of Chapter 75-475, Laws of Florida, which amended Subsection (2) of Section 5 of Chapter 71-822, Laws of Florida, to give district power, within the geographic areas of the district, over indirect as well as direct tributaries of the Loxahatchee River for storm drainage purposes; amending Subsection (4) of Section 4 of Chapter 71-822, Laws of Florida, as amended, to modify procedure for filling of vacancies occurring in the office of a board

member; amending Section 7 of Chapter 71-822, Laws of Florida, and amending Section 17 of Chapter 71-822, Laws of Florida, to secure and clarify the authority of the district to levy an ad valorem tax of $\frac{1}{4}$ mill subject to approval by referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representative T. Moore and others—

CS for HB 1802—A bill to be entitled An act relating to Pinellas County; amending section 3 of chapter 75-487, Laws of Florida; amending section 4(4), (5), (8), and (10) thereof and adding subsections (12) and (13) thereto; amending section 6 thereof and adding new sections 16-18 thereto; authorizing the County to prohibit by ordinance the operation or maintenance of any solid waste disposal facility by any persons, firms, corporations, municipalities, political subdivisions, or public or private bodies, except by contract or permit from the County; authorizing the County to finance the cost of construction, acquisition and operation of electrical generating facilities; modifying authority of the Board of County Commissioners of Pinellas County to apply the revenues derived from solid waste disposal facilities to operation and maintenance expenses; authorizing the County to issue licenses or permits to persons, firms, or corporations for the collection of solid waste within the unincorporated area of the County; authorizing the Board of County Commissioners of Pinellas County to require that existing solid waste disposal facilities be restricted to disposal of specified types or amounts of solid waste and providing an exception; authorizing the Board of County Commissioners to adopt an ordinance of countywide effect to implement the intent of the legislature; providing for rates, fees, and charges; authorizing institution of legal action by the County to enforce the provisions of the act; prohibiting annexation by a municipality; prohibiting franchise and other fees by a municipality; providing for exemption of a County owned or operated resource recovery system from regulation by the Public Service Commission; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1714 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Williams—

HB 1714—A bill to be entitled An act relating to county boundaries; amending s. 7.10, Florida Statutes, amending the legal description of Clay County to include certain lands which were inadvertently left off the legal description in the 1976 revision of boundaries; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 361 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation and Representatives Richmond and Culbreath—

CS for HB 361—A bill to be entitled An act relating to tax exemption; amending s. 196-1975(4)(a), Florida Statutes, providing that the surviving spouse of a person who was qualified to reside in a federally subsidized housing project for the aged shall be entitled to a specified tax exemption; adding subsection

(4) to s. 196.196, Florida Statutes; specifying criteria under which certain structures owned by bona fide civic organizations shall be considered to serve a charitable purpose and be exempt from ad valorem taxation; providing an effective date.

—was read the first time by title and referred to the Committees on Economic, Community and Consumer Affairs; and Finance, Taxation and Claims.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 2151 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulated Industries & Licensing—

HB 2151—A bill to be entitled An act relating to thoroughbred horseracing; creating s. 550.2615, Florida Statutes, providing for the distribution of certain funds deducted from the purse pool to a horsemen's association; providing for an audit of all such accounts by the Division of Pari-mutuel Wagering of the Department of Business Regulation; providing for the suspension of said funds under certain conditions; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 2197 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Thompson—

HB 2197—A bill to be entitled An act relating to Franklin County; providing for the acquisition, construction, erection, enlargement, and improvement of school buildings, and the furnishing and equipping of school buildings of the school board of Franklin County; authorizing the issuance of certificates of indebtedness payable from the portion of racetrack funds and jai alai fronton funds accruing annually to Franklin County, and allocated to such board, to pay the cost of such projects; authorizing the issuance of refunding certificates of indebtedness to refund certificates of indebtedness payable from such racetrack and jai alai fronton funds; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1658 and HB 1667 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Easley and others—

HB 1658—A bill to be entitled An act pertaining to Pinellas County; declaring a legislative intent; authorizing the Board of County Commissioners to grant cable television system franchises in the unincorporated areas, without referendum, upon certain terms and conditions; providing for procedures and requirements for granting of franchises; providing a severability clause; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Hagler and others—

HB 1667—A bill to be entitled An act relating to Escambia County; abolishing the University Hospital Board of Trustees

of Escambia County; transferring administration of University Hospital to Board of County Commissioners; providing for a director; providing for an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1712, HB 1651 and HB 2156 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hagler and others—

HB 1712—A bill to be entitled An act relating to the City of Pensacola, Escambia County; amending section 5 of chapter 61-2655, Laws of Florida, relating to the qualifications for benefits for membership to the General Pension and Retirement Fund of the City of Pensacola; clarifying certain provisions therein with relation to the period of time of service in order for an employee to have vested rights therein and be eligible for benefits thereunder; providing a repealing clause; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 1651—A bill to be entitled An act relating to Pinellas County; amending s. 11(1) and adding a subsection, s. 12(1) and (3) and adding a subsection, s. 16(1)(a), s. 21, s. 28, s. 31 and s. 32, all of chapter 75-489, Laws of Florida, relating to the Pinellas County Construction Licensing Board; authorizing the board to establish other reasonable classifications of contractors and journeymen in the construction industry; providing a definition of "fire marshal"; increasing board membership; providing for selection of chairman and vice-chairman; authorizing waiver by board of examination requirements for registration or certification; providing for proof of insurance as condition for registration; providing for establishment of fees by board; authorizing the board to adopt amendments to the codes; providing a Board of Adjustment and Appeals for life safety and fire codes; providing a procedure for determining jurisdiction of certain appeals; providing for appeals from decisions of a building director or fire marshal; amending the power of a Board of Adjustment and Appeals to interpret its respective code; providing for review of decisions of the Boards of Adjustment and Appeals; providing for judicial review; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Langley and Fechtel—

HB 2156—A bill to be entitled An act relating to Lake County, Florida; providing for the acquisition, construction, erection, enlargement and improvement of school buildings, and the furnishing and equipping of school buildings of the School Board of Lake County, Florida; providing for the acquisition of supplies, equipment and materials of all types to be used in public education by the School Board of Lake County, Florida, including vehicles, buses and maintenance equipment of all types; authorizing the issuance of certificates of indebtedness payable from the portion of racetrack funds and jai alai fronton funds accruing annually to Lake County, and allocated to such Board, to pay the cost of such projects; authorizing the issuance of refunding certificates of indebtedness to refund certificates of indebtedness payable from such racetrack and jai alai fronton funds; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1813 and HB 1495 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative T. Lewis and others—

HB 1813—A bill to be entitled An act relating to The Palm Beach County Environmental Control Act; amending section 18 of Chapter 77-616, Laws of Florida, to provide for delinquent assessment fees to be liens; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Crawford and others—

HB 1495—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending the Lakeland Downtown Development Authority Act; amending sections 2(j), 5(a)(1) and (f), 6(a), 9, and 13, chapter 77-588, Laws of Florida, to define the term freeholder; to clarify the term elector; to provide for vacancies; to provide for formulation and amendment of bylaws; to provide for the levy of ad valorem tax; providing a referendum.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1507 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Governmental Operations and Representative Ward—

HB 1507—A bill to be entitled An act relating to tax on cigarettes; amending s. 210.15(1)(a), (e), and (h) and (3)-(5), Florida Statutes, relating to permits, to delete obsolete language and to specify that the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation shall provide certain forms; amending s. 210.16, Florida Statutes, relating to suspension or revocation of permits, to delete references to retail dealers and to conform to chapter 120, Florida Statutes, the Administrative Procedure Act; authorizing the division and its employees to make certain examinations and to issue subpoenas; readopting ss. 210.15 and 210.16, Florida Statutes, which are scheduled for repeal; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1508 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Governmental Operations and Representative Jennings—

HB 1508—A bill to be entitled An act relating to public swimming pools and bathing places; amending s. 514.02, Florida Statutes; giving the Department of Health and Rehabilitative Services supervision over safety of public swimming pools and bathing places; defining public swimming pools and bathing places; exempting water therapy facilities connected with hospitals, medical doctors' offices and licensed physical therapy establishments; amending s. 514.03, Florida Statutes; requiring permits to construct, develop, or modify public swimming pools or bathing places; providing for application, review, and permitting processes; providing for denial of permitting under certain circumstances; amending s. 514.04, Florida Statutes; providing

for sanitary and safety inspections of public swimming pools and bathing places; amending s. 514.05, Florida Statutes, providing for revocation of permit; amending s. 514.06, Florida Statutes; providing for injunctions to restrain violations; amending s. 514.07, Florida Statutes; providing penalties; creating s. 514.031, Florida Statutes; requiring permits for operation of public swimming pools and bathing places; providing for application, review, and permitting processes; providing for denial of permitting under certain circumstances; providing for reissuance of permits; creating s. 514.032, Florida Statutes; authorizing the Department of Health and Rehabilitative Services to delegate certain permitting and surveillance duties to local health units; creating s. 514.033, Florida Statutes, authorizing the Department of Health and Rehabilitative Services to establish a schedule of fees; providing maximum fee limits; providing for collection of fees by local health units; providing for persons holding a valid permit on the effective date of the act; providing for revival and readoption of chapter 514, Florida Statutes, with the exception of ss. 514.01 and 514.08, Florida Statutes, which provide requirements and penalties; providing effective dates.

—was read the first time by title and referred to the Committees on Commerce; Health and Rehabilitative Services; and Appropriations.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1773, HB 1557 and HB 2175 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative T. Moore and others—

HB 1773—A bill to be entitled An act relating to the Pinellas County Water and Navigation Control Authority; adding subsection (c) to s. 2, chapter 31182, Laws of Florida, 1955, as amended by s. 1, chapter 72-664, Laws of Florida, to authorize the undertaking of public navigation projects; amending s. 8(e), chapter 31182, Laws of Florida, 1955, as amended by s. 2, chapter 72-664 and s. 3, chapter 74-588, Laws of Florida, to exempt the Authority from the requirement imposed by s. 253.124(3) Florida Statutes, that biological survey reports be read into the record during public hearings; providing for a procedure for the adoption of such biological survey reports by reference; adding sections 21-32 to chapter 31182, Laws of Florida, 1955; providing additional authority concerning public navigation projects; authorizing certain contracts, etc. with the United States, acquisition of property; levy of taxes and loans; authorizing the condemnation of lands; authorizing the issuance of bonds; authorizing the Authority to borrow money and to execute promissory notes therefor; authorizing the Authority to convey property and property rights to the United States; forming a special tax district; providing for certain reports to the Secretary of Army; providing for the construction of dikes, bulkheads, levees, utilities, etc. incidental to public navigation projects; requiring an analysis and report on the Saint Joseph's Sound segment of the Intercoastal Waterway; granting tax exemption to all lands owned by the Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Taylor and Cassens—

HB 1557—A bill to be entitled An act relating to Martin County; enacting the Martin County Environmental Control Act; providing short title; providing for Declaration of Intent; providing definitions; providing for an Environmental Control Board; providing organization, duties, and powers; providing for Environmental Control Officer appointment, duties and powers; providing exemptions; providing for hearing board organization, duties and powers; providing for appeals from actions or decisions of Environmental Control Officer; providing procedure; providing for judicial review; providing for civil enforcement; providing for enforcement of hearing board orders and injunctive relief; providing criminal penalties; providing civil penalties; providing for civil fines to be liens;

providing for construction in relation to other law; providing for no change in powers of Health Department; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Judiciary and Representative Rish—

HB 2175—A bill to be entitled An act relating to Gulf County; amending Section 6 of Chapter 30787, Laws of Florida, 1955, removing the maximum amount of \$3,000,000 for revenue bonds or certificates of indebtedness of the Port St. Joe Port Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 1951 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Natural Resources and Representative Craig—

CS for HB 1951—A bill to be entitled An act relating to saltwater fisheries and conservation; amending s. 370.082(1) and (4), Florida Statutes, adding Volusia County to a list of counties in which it is unlawful to set, lay out, or fish any gill net, wing net or similar device unattended in any of the waters of the county; authorizing the use of such nets or devices in Volusia County for research under certain circumstances; providing for the confiscation of unmarked nets or devices; amending s. 370.08(1), Florida Statutes, relating to illegal possession of seines and nets, providing a penalty; amending s. 370.0821, Florida Statutes, relating to use of nets in St. Johns County; specifying restricted areas and periods; increasing penalty; repealing chapters 67-1984 and 69-1540, Laws of Florida, which provide similar prohibitions with respect to use of any type of net or seine except a common cast net; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended—

CS for HB 1877	HB 2070	HB 2190
HB 1974		

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representative Forbes and others—

CS for HB 1877—A bill to be entitled An act relating to the Jacksonville Electric Authority; moving chapter 67-1569, Laws of Florida, as amended, (the charter of the Jacksonville Electric Authority) into the charter of the City of Jacksonville; amending chapter 67-1320, Laws of Florida, as amended, creating Article 30 containing the Jacksonville Electric Authority; providing for the payment of certain funds to certain taxing units; repealing chapter 67-1569, Laws of Florida, as amended; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Langley and Fechtel—

HB 2070—A bill to be entitled An act relating to Lake County; creating the Northwest Lake County Hospital District; creating a board of trustees of the district; providing the qualifications

and duties of the members of the board; authorizing the board to contract with various agencies and entities to provide certain medical care and services; requiring the board to levy a tax to fund such services; providing procedures for the tax levy; authorizing the board to expend its funds for the district; requiring the board to periodically file financial statements of the district; authorizing the board to accept certain funds; providing for a referendum.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Melvin and others—

HB 2190—A bill to be entitled An act relating to Okaloosa County; authorizing Okaloosa County, Florida, through its board of county commissioners, to acquire, construct, operate and regulate industrial sites, airports and air navigation facilities in Okaloosa County; vesting expressly in the county commissioners the governing and regulatory authority and powers necessary, with the power to delegate administrative functions to a board to work directly under the county commissioners; prescribing duties, number and terms of members appointed to such board; abolishing the Okaloosa County Airport and Industrial Authority; providing for the payment of outstanding obligations of such authority; declaring the ownership and operation of such industrial sites, airports, and air navigation facilities to be a public and governmental purpose; authorizing the board of county commissioners of Okaloosa County to exercise its powers of eminent domain and appropriate money through bond issues and levying of taxes, or otherwise to accomplish necessary purposes and goals; employing needed personnel; repealing all special acts and laws in conflict herewith; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Melvin and others—

HB 1974—A bill to be entitled An act relating to Okaloosa County; repealing chapter 63-1685, Laws of Florida, as amended, relating to the Ocean City-Wright fire control district; providing for the creation and boundaries of the Ocean City-Wright fire control district; providing for a board of commissioners to manage the district; providing for terms of office; providing for officers and meetings; providing for audits of the district pursuant to state law; providing for suits against the board; providing for the powers of the board of commissioners; providing for a fire inspector and fireman; providing for special assessments; providing for indebtedness; providing for the use of district funds; providing for the extension of limits of district; providing for changes with respect to calls outside of the district; providing a penalty; providing for liberal construction of the act; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 1979	HB 1876	HB 2138
HB 2069	CS for HB 1883	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hawkins—

HB 1979—A bill to be entitled An act relating to Collier County; creating the Immokalee Water and Sewer District in the county; defining its boundaries; providing definitions; authorizing the district to operate a water and sewer system; creating the governing board of the district; restricting the use of funds of the district; providing the powers of the board; providing for water rates and service charges; providing for special assessments; providing for the collection of rates and

charges; requiring certain persons to connect to the sewer system established under the act under certain circumstances; providing a declaration of policy; providing for annual audits; providing for a referendum.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Robinson and others—

HB 1876—A bill to be entitled An act relating to Escambia County; creating an Escambia County Charter Commission; providing for the appointment and duties of members and alternates; providing for organization and meetings; authorizing the acceptance of support services, grants, or donations and the use or expenditure of same; authorizing review of county records; providing for the filing of a proposed charter; providing for a referendum; declaring the commission to be serving a county purpose; declaring that this act shall prevail over certain general law provisions; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Neal and Haben—

HB 2138—A bill to be entitled An act relating to Hardee County; authorizing and providing for the acquisition of land and the erection and equipping of a school building or buildings by the School District of Hardee County, Florida; providing for the issuance of revenue bonds not exceeding \$2,700,000 to finance such acquisition and construction; authorizing the School Board of the District to fix the amount, denominations, interest, maturities, and the details of such bonds and to sell the same under certain conditions; providing for the payment of said bonds from, and an irrevocable pledge for that purpose, a portion of the taxes on pari-mutuel wagering levied pursuant to chapters 550 and 551, Florida Statutes, allocated to Hardee County; providing for the payment of such funds to the School Board for that purpose; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Langley and Fechtel—

HB 2069—A bill to be entitled An act relating to Lake County; providing for the relief of the Leesburg Hospital Association, Inc.; authorizing and directing the Board of County Commissioners of Lake County to pay certain funds to the association; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representative Pajcic and others—

CS for HB 1883—A bill to be entitled An act relating to the Jacksonville Electric Authority, City of Jacksonville, Duval County; providing for the acquisition, construction, erection, building, extending, leasing, enlargement, improvement, furnishing, equipping, owning and operating electric generating plants, transmission lines, interconnections and substations for the generation, transmission, and exchanging of electric power and energy by and for the Jacksonville Electric Authority, City of Jacksonville, Duval County, Florida, as a separate bulk power supply utility or system; providing for joint ownership and participation; providing for fuel supply and fuel transportation facilities; providing for the payment of certain funds to certain taxing units; authorizing the issuance of revenue bonds by the Authority to pay the cost thereof payable from revenues derived from the operation of the system and other funds legally available for such purpose; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Senate recessed at 8:45 a.m.

The Senate was called to order by the President at 10:00 a.m.
A quorum present—38:

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gordon	Peterson	Thomas, Pat	

Excused: Senator Gorman; periodically, conferees on SB 1100 and HB 2044—Senators Lewis, Gordon, W. D. Childers, Peterson, Plante, Spicola, Trask, Hair

Prayer by the Rev. James E. Bearss, pastor, Lafayette Presbyterian Church, Tallahassee:

God, our Heavenly Father, on this Memorial Day each one of us has many reasons to be grateful to those who have served in the armed forces of our nation over the centuries. We have reasons to be grateful for those who served to help fashion this nation of ours; for those who have served in the years since the formation of our nation to defend the freedoms which we enjoy and too many times take for granted; for those who still bear the evidence of having served their country; for those families who have been touched so deeply. Help us this day to pause for this brief moment to remember and give thanks for those who have served over the years in our armed forces.

As men and women have served to protect and pass on to us many privileges so we are grateful to thee, O God, for the ways you have been working in the life of our nation. Strengthen the work that is being done which is for the betterment of mankind.

As the Senators of this state resume their work on this Memorial Day may they go about their work with the determination of serving their fellow citizens as the veterans have done over the past years. Guide the Senators as they stand up for their convictions that they have the blessing of Almighty God. Amen.

The Senate pledged allegiance to the flag of the United States of America.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Monday, May 29, 1978:

SB 953	HB 183	CS for SB 906
HB 359	SB 1247	HB 829
SB 1244	CS for SB 956	HB 35
HB 1062	SB 787	CS for SB 1122
HB 775	SB 66	HB 583
SB 556	SB 1119	HB 854
SB 355	HB 1138	HB 1045
SB 368	CS for SB 1142	SB 823
SB 912	HB 1645	CS for SB 678
SB 249	SB 461	HB 2155
SB 109	HB 1781	SB 1250
SB 1035	HB 300	HB 1219
HB 187	SB 917	SB 1355
SR 1338	SB 1252	SB 804
SB 304	SB 532	HB 73
HB 959	SB 653	
SB 588	SB 1149	

And claims bills will be taken up at a time certain to be announced Monday, May 29, 1978.

Respectfully submitted,
W. D. Childers, Chairman

Honorable Lew Brantley
President, The Florida Senate

Dear Mr. President:

Your Committee on Rules and Calendar respectfully recommends revisions of Senate Rules 4.8 and 2.1 attached hereto and by reference made a part of this report.

The vote of the committee was unanimous.

Respectfully submitted,
W. D. Childers, Chairman

On page 20, the second paragraph of Rule 2.1 is amended to read:

Each standing committee or the chairman thereof may appoint a select subcommittee to study or investigate a specific matter falling within the jurisdiction of the standing committee or to consider a bill referred to it. The President of the Senate shall be promptly notified of the appointment of select subcommittees, their assignment, the time allowed for the assignment, and shall be notified on completion of the assignment. Select subcommittees shall be regulated by the Senate Rules of Procedure regulating standing subcommittees, except that select subcommittees shall exist only for the time necessary to complete their assignments and report to their standing committees, *and not to exceed thirty days*. The advisory reports by select subcommittees whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote.

On page 44, the first paragraph of Rule 4.8 is amended to read: (Substantial rewording)

4.8—Reference to Ways and Means Committee

All bills authorizing or substantially affecting appropriations or tax revenue shall be referred to the Committee on Ways and Means. A bill that is amended to substantially affect appropriations or tax revenue shall, before being placed before the Senate for final passage, be referred along with all amendments to the Committee on Ways and Means for its review and recommendation to the Senate which review during the last ten days of a regular Session shall be accomplished within twenty-four hours.

Senator W. D. Childers moved that the Senate adopt the report of the Committee on Rules and Calendar containing amendments to the rules which will become effective July 1, 1978. The motion was adopted.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Dunn, the rules were waived and by two-thirds vote SB 1197 and HB 1068 were withdrawn from the Committee on Judiciary-Criminal.

REQUESTS FOR EXTENSION OF TIME May 26, 1978

The Committee on Education requests an extension of 15 days for consideration of the following:

SB 42 by Senator Graham	SB 1081 by Senator Glisson
SB 56 by Senator Zinkil	SB 1109 by Senator Gordon
SB 260 by Senator Gordon	SB 1114 by Senator MacKay
SB 265 by Senator Tobiassen	SB 1134 by Senator Skinner
SB 270 by Senator Gordon	SB 1135 by Senator Don
SB 328 by Senator Tobiassen	Childers
SB 239 by Senator Firestone	SB 1170 by Senator Jon
SB 463 by Senator Jon	Thomas
Thomas	SB 1177 by Senator Peterson
SB 465 by Senator MacKay	SB 1179 by Senator Jon
SB 468 by Senator Castor	Thomas
SB 542 by Senator Dunn	SB 1186 by Senator McClain
SB 548 by Senator Johnston	SB 1188 by Senator Scott
SB 650 by Senator Don	SB 1203 by Senator McClain
Childers	SB 1209 by Senator Jon
SB 740 by Senator Tobiassen	Thomas
SB 742 by Senator Castor	SB 1213 by Senator Winn
SB 765 by Senator Glisson	SB 1238 by Senator MacKay
SB 867 by Senator Spicola	SB 1258 by Senator Ware
SB 888 by Senator Graham	SB 1291 by Senator Plante
SB 1028 by Senator Hair	SB 522 by Senator Gordon
SB 1042 by Senator Plante	

The Committee on Finance, Taxation and Claims requests an extension of 8 days for consideration of the following:

SB 1052 by Senator Gordon	SB 1141 by Senator MacKay
SB 1054 by Senator Gordon	& Others
	SB 1151 by Senator McClain

May 29, 1978

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following:

SB 482 by Senator Renick	SB 971 by Senator
SB 580 by Senator Gallen	Henderson

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following:

SB 258 by Senator Dunn	SB 858 by Senators Dunn,
SB 272 by Senator Saylor	Myers, Vogt and
CS for SB 476 by Committee	Gordon
on Transportation	SB 900 by Senator Trask
(Senator Poston)	SB 922 by Senator Dunn
SB 497 by Senator Myers	SB 1192 by Senators Dunn,
SB 507 by Senator Dunn	Spicola, Castor,
SB 536 by Committee on	and MacKay
Judiciary-Civil	SB 1195 by Senator Gordon
SB 544 by Senator Dunn	SB 1241 by Senator Dunn
SB 644 by Senator Firestone	SB 1255 by Senator Hair

MESSAGES FROM THE GOVERNOR

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 227, 300, 327, 364, 403, 406, 534, 656, 676, 703, 704 and 1020, which he had approved May 24.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Holloway—

SB 362—A bill to be entitled An act relating to mobile homes; adding s. 320.822 (13), (14), (15), Florida Statutes; providing standard definitions of the length and width of a mobile home to conform with federal regulations; amending s. 320.8335, Florida Statutes; requiring advertisements or other communications describing a mobile home to conform to certain requirements; authorizing the Department of Highway Safety and Motor Vehicles to assign and require the affixation of an identification number for certain mobile homes; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 30 insert: Section 4. Section 320.831, F.S., is amended to read:

320.831. Penalties.—Any manufacturer, ~~or~~ dealer, or inspector, who violates or fails to comply with any of the provisions of ss. 320.822 - ~~320.830~~ 320.864 or any of the rules and regulations promulgated by the department shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083 or if applicable, penalized as provided for in Title VI of the National Mobile Home Construction Safety Standard Act.

RENUMBER SUBSEQUENT SECTION

Amendment 2—On page 1 in title, line 6, after “federal regulations,” insert: amending s. 320.831, Florida Statutes, providing penalties;

Amendment 3—On page 1, line 17, insert: Section 1. Paragraph (b) of subsection (1) and subsection (2) of section 320.01, Florida Statutes, 1977, are amended to read:

320.01 Definitions, general.—In construing these statutes, when applied to motor vehicles, and when the context permits, the word, phrase, or term:

(1) “Motor vehicle” includes:

(b) Recreational vehicle-type units primarily designed as temporary living quarters for recreational, camping, or travel use, which either have their own motive power or are mounted on or drawn by another vehicle. As defined below, the basic entities are:

1. “Travel trailer”: A vehicular portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use. It is of a body width of no more than 8 feet and a body length of no more than 35 feet when factory-equipped for the road.

2. “Camping trailer”: A vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.

3. “Truck camper”: A portable unit, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreational, camping, or travel use. Truck campers are portable units designed to be affixed to a truck chassis and constructed to provide temporary living quarters for recreational, travel, or camping use.

4. “Motor home”: A vehicular unit, *not exceeding length and width limitations provided in s. 316.515*, built on a self-propelled motor vehicle chassis, primarily designed to provide temporary living quarters for recreational, camping, or travel use.

5. “Fifth wheel recreational trailer”: A vehicular portable unit mounted on wheels of such size or weight as not to require special highway movement permits. It is primarily designed and constructed to provide temporary living quarters for recreation, camping, or travel use and designed to be connected for towing through the use of a fifth wheel device. It is of a length and width not exceeding the limitations provided in s. 316.515, as the same may be hereafter amended.

(2) “Mobile home” means a structure, transportable in one or more sections, which is 8 body feet or more in width and which is built on an integral chassis, and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein ~~includes any type of trailer or vehicle body, regardless of any appurtenances, additions, or other modification thereto, without independent motive power, manufactured upon an integral chassis or undercarriage and designed either for travel over the highways or for housing accommodations or both.~~

AND RENUMBER SUBSEQUENT SECTIONS

Amendment 4—On page 1 in title, line 2, after the “;” insert: amending s. 320.01(1)(b) and (2), Florida Statutes, redefining the terms “motor home” and “mobile home”;

The bill and amendments were referred to the Committee on Transportation.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Williamson—

SB 416—A bill to be entitled An act relating to ancient motor vehicles; amending s. 325.12, Florida Statutes; providing that licensed ancient motor vehicles are exempt from safety equipment inspection requirements; repealing s. 325.18, Florida Statutes, concerning safety equipment inspection of ancient automobiles; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 27 and 28, strike all of said lines 27 and 28 and insert: Section 3. At least one inspection station in every county shall be open for the inspection of motor

vehicles on Saturday. The several boards of county commissioners may select a weekday on which the aforesaid stations shall normally be closed. The provisions of this subsection shall not apply to any county having a population of 25,000 or fewer persons and shall not apply to privately run inspection stations.

Section 4. This act shall take effect upon becoming a law.

Amendment 2—On page 1 in title, line 8, after the word “automobiles”; insert: requiring at least one county-operated inspection station be open on Saturday; permitting the closing of such station on a weekday; providing exceptions; specifying that such requirement does not apply to privately run inspection stations;

Amendment 3—On page 1, line 27, strike Section 3. This act shall take effect upon becoming a law. and insert:

Section 3. Paragraph (a) of subsection (1) of section 320.02, Florida Statutes, is amended to read:

320.02 Application for registration; forms.—

(1) Every owner, or person in charge, of a motor vehicle which shall be operated or driven upon the highways of the state, or which shall be maintained in this state, shall, for each such vehicle so owned, cause to be filed by mail or otherwise, in the office of the department, a certified application for registration of same on a blank to be furnished for that purpose, containing:

(a) A description of each motor vehicle to be registered, including: the purpose for which it is to be used; the name of the manufacturer; the style, type, engine number, or permanent vehicle identification number (VIN); the horsepower; the net weight in pounds; in case of motor trucks, trailers, and semi-trailers, the factory-rated load capacity; the maximum gross weight as stated by the person requesting registration; and, in case of motor vehicles for carrying passengers, the seating capacity. *However, if the application is for the registration of an antique automobile, antique truck, or vehicle which qualifies for a horseless carriage license plate, the application shall contain the engine number and the year and model of the engine.*

Section 4. Paragraph (a) of subsection (2) and paragraph (f) of subsection (3) of section 320.08, Florida Statutes, are amended to read:

320.08 License taxes.—There are hereby levied and imposed annual license taxes for the operation of motor vehicles and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department upon the registration or reregistration of the following:

(2) AUTOMOBILES FOR PRIVATE USE.—

(a) Antique automobiles: \$7.50 flat. An “antique automobile” is defined as any passenger automobile manufactured more than 20 years prior to the current date ~~year~~ and equipped with an engine manufactured more than 20 years prior to the current date, or an engine manufactured to the specifications of the original engine.

(3) TRUCKS.—

(f) Antique trucks: \$7.50 flat. An “antique truck” is defined as any truck with a net weight of not more than 3,000 pounds manufactured more than 20 years prior to the current date and equipped with an engine manufactured more than 20 years prior to the current date, or an engine manufactured to the specifications of the original engine.

Section 5. Section 320.086, Florida Statutes, is amended to read:

320.086 Ancient motor vehicles; “horseless carriage” license plates.—Notwithstanding any other provision of law, any owner of a motor vehicle of the age of 35 years or more from the date of manufacture, equipped with an engine of the age of 35 years or more from the date of manufacture, and operated or moved over the highway primarily for the purpose of historical exhibition or other similar purpose, shall, upon application in the manner and at the time prescribed by the department, ~~shall~~ be issued a special license plate for such motor ve-

hicle at a fee of \$7.50 for each such plate, which shall be permanent and valid for use thereon without renewal so long as the vehicle is in existence in lieu of the regular license plate. In addition to the payment of all other fees required by law, the applicant shall pay such fee for the issuance of the special license plate as may be prescribed by the department commensurate with the cost of manufacture. The registration numbers and special license plates assigned to such motor vehicles shall run in a separate numerical series, commencing with “Horseless Carriage No. 1” and the plates shall be of a distinguishing color.

Section 6. This act shall take effect July 1, 1978.

Amendment 4—On page 1 in title, line 8, strike providing an effective date. and insert: amending s. 320.02(1)(a), Florida Statutes, requiring registration applications for antique or horseless carriage vehicles to include the engine's number, age, and model; amending ss. 320.08(2)(a) and (3)(f) and 320.086, Florida Statutes, requiring the engine of the vehicle to be a specific age for the vehicle to qualify as an antique or horseless carriage vehicle; providing an effective date.

The bill and amendments were referred to the Committee on Transportation.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator MacKay—

SB 720—A bill to be entitled An act relating to the Savings Association Act; amending Section 665.061, Florida Statutes, to provide for the conversion of federal stock associations to capital stock associations or vice versa; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, strike everything after the enacting clause and insert the following: Section 1. Subsections (1) and (2) of section 665.061, Florida Statutes, are amended to read:

665.061 Conversion without change of business form.—

(1) **CONVERSION INTO FEDERAL SAVINGS ASSOCIATION.**—At an annual meeting or at any special meeting of the members or stockholders called to consider such action, any association or corporation of this state doing a home-financing business may convert itself into a federal savings association or federal savings and loan association, hereinafter called “Federal Association,” in accordance with the laws of the United States, as now or hereafter amended, upon a vote of 51 percent or more of the total number of votes of the members or stockholders eligible to be cast. A copy of the minutes of the proceedings of such meeting of the members or stockholders, verified by the affidavit of the secretary or an assistant secretary, shall be filed with the department within 10 days after the date of such meeting. A sworn copy of the proceedings of such meeting, when so filed, shall be presumptive evidence of the holding and action of such meeting. Within 3 months after the date of such meeting, the association shall take such action in the manner prescribed and authorized by the laws of the United States as shall make it a federal association. There shall be filed with the department a copy of the charter issued to such federal association by the Federal Home Loan Bank Board or a certificate showing the organization of such association as a federal association, certified by the secretary or assistant secretary of the Federal Home Loan Bank Board. A similar copy of the charter, or of such certificate, shall be filed by the association with the Department of State. No failure to file any such instruments with either the Department of Banking and Finance or the Department of State shall affect the validity of such conversion. Upon the grant to any association of a charter by the Federal Home Loan Bank Board, the association receiving such charter shall cease to be an association incorporated under this chapter and shall no longer be subject to the supervision and control of the department. Upon the conversion of any association into a federal association, the corporate existence of such association shall not terminate, but such federal association shall be deemed to be a continuation of

the entity of the association so converted and all property of the converted association, including its rights, titles, and interest in all and to all property of whatever kind, whether real, personal, or mixed, and things in action, and every right, privilege, interest, and asset of any conceivable value or benefit then existing, or pertaining to it, or which would inure to it, shall immediately by operation of law and without any conveyance or transfer and without any further act or deed remain and be vested in and continue and be the property of such federal association into which the state association has converted itself, and such federal association shall have, hold, and enjoy the same in its own right as fully and to the same extent as the same was possessed, held, and enjoyed by the converting association. Such federal association as of the time of the taking effect of such conversion shall continue to have and succeed to all the rights, obligations, and relations of the converting association. All pending actions and other judicial proceedings to which the converting state association is a party shall not be deemed to have abated or to have discontinued by reason of such conversion, but may be prosecuted to final judgment, order, or decree in the same manner as if such conversion into such federal association had not been made and such federal association resulting from such conversion may continue such action in its corporate name as a federal association, and any judgment, order or decree may be rendered for or against it which might have been rendered for or against the converting state association theretofore involved in such judicial proceedings. Any association or corporation, which has heretofore converted itself into a federal association under the provisions of the Laws of the United States and has received a charter from the Federal Home Loan Bank Board, shall hereafter be recognized as a federal association, and its federal charter shall be given full recognition by the courts of this state to the same extent as if such conversion had taken place under the provisions of this section; provided, however, that there shall have been compliance with the foregoing requirements with respect to the filing with the department of a copy of the federal charter or a certificate showing the organization of such association as a federal association. All such conversions are hereby ratified and confirmed, and all the obligations of such an association which has so converted shall continue as valid and subsisting obligations of such federal association, and the title to all of the property of such an association shall be deemed to have continued and vested, as of the date of issuance of such federal charter, in such federal association as fully and completely as if such conversion had taken place since the enactment of this chapter pursuant to this section.

(2) **CONVERSION INTO STATE CHARTERED ASSOCIATION.**—At an annual meeting or at any special meeting of the members or stockholders called to consider such action, any federal association may convert itself into an association under this chapter upon a vote of 51 percent or more of the total number of votes of the members or stockholders of such federal association eligible to be cast. Copies of the minutes of the proceedings of such meeting of members or stockholders, verified by the affidavit of the secretary or an assistant secretary, shall be filed in the office of the department and mailed to the Federal Home Loan Bank Board, Washington, D.C., within 10 days after such meeting. Such verified copies of the proceedings of the meeting when so filed shall be presumptive evidence of the holding and action of such meeting. At the meeting at which conversion is voted upon, the members or stockholders shall also vote upon the directors who shall be the directors of the state-chartered association after conversion takes effect. Such directors shall then execute two copies of the petition for certificate of incorporation and two copies of the bylaws. The department shall insert in the certificate of incorporation, at the end of the paragraph preceding the testimonium clause, the following: "This association is incorporated by conversion from a federal association." All of the directors who are chosen for the association shall sign and acknowledge the petition for certificate of incorporation as subscribers thereto and the proposed bylaws as incorporators of the association. The provisions of this chapter shall, so far as applicable, apply to such conversion under this section ~~chapter~~. The department may provide, by rule ~~regulation~~, for the procedure to be followed by any such federal association converting into a state-chartered ~~an~~ association. All the applicable provisions regarding property and other rights contained in the preceding subsection shall apply, ~~in reverse order~~, to the conversion of a federal association into an association incorporated under this chapter, so that the state-chartered association shall be a continuation of the corporate entity of the converting

federal association and continue to have all of its property and rights.

Section 2. This act shall take effect upon becoming law.

Amendment 2—On page 1, strike the entire title and insert: A bill to be entitled An act relating to the Savings Association Act; amending s. 665.061(1) and (2), Florida Statutes, to provide for the conversion of federal stock associations to capital stock associations or vice versa; providing an effective date.

The bill and amendments were referred to the Committee on Commerce.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 3 amendments—

By Senator Chamberlin—

SB 285—A bill to be entitled An act relating to eminent domain; creating s. 73.072, Florida Statutes; providing that a condemning authority shall separately determine and award compensation for permanent improvements made to the site by a mobile home owner leasing the site on which his mobile home is located under certain conditions; permitting mobile home owners to intervene in condemnation proceedings to assert the right to separate compensation; amending s. 73.081, Florida Statutes, relating to form of jury verdicts, to add such compensation to the list of items included; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 3, line 4, strike all of said line and insert: Section 3. Section 73.111, Florida Statutes, is amended to read:

73.111 Deposit and possession.—Within 20 days after the rendition of the judgment, the petitioner shall deposit the amount set forth therein into the registry of the court for the use of the defendants, or the proceeding shall be null and void, unless for good cause further time, not exceeding 60 days, is allowed by the court. Upon such deposit and the entry in the proper records in the clerks' office of the judgment and the clerk's certificate that the compensation has been paid into the court, the estate or interest sought shall vest in the petitioner. *The court may fix the time within which, and the terms upon which, the defendants shall be required to surrender possession to the petitioner, and it may enter upon and appropriate the property for the uses aforesaid.*

Amendment 2—On page 1 in title, line 14, after the word "included," insert: amending s. 73-111, Florida Statutes, authorizing the court to fix the time and terms upon which the defendants in condemnation proceedings must surrender possession of the property to the petitioner; amending s. 74.061, Florida Statutes, providing that interest shall be allowed at the same rate as provided in circuit court judgments;

Amendment 3—On page 3, line 4, strike all of said line and insert: Section 4. Section 74.061, Florida Statutes, is amended to read:

74.061 Vesting of title or interest sought.—Immediately upon the making of the deposit, the title or interest specified in the petition shall vest in the petitioner, and the said lands shall be deemed to be condemned and taken for the use of the petitioner, and the right to compensation for the same shall vest in the persons entitled thereto. Compensation shall be determined in accordance with the provisions of chapter 73, except that interest shall be allowed at the same rate as provided in all circuit court judgments ~~rate of 6 percent per annum~~ from the date of surrender of possession to the date of payment on the amount that the verdict exceeds the estimate of value set forth in the declaration of taking.

Section 5. This act shall take effect October 1, 1978.

On motions by Senator Chamberlin, the Senate concurred in the House amendments.

SB 285 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Hair	Plante	Trask
Castor	Henderson	Poston	Vogt
Chamberlin	Holloway	Renick	Ware
Childers, Don	Johnston	Sayler	Williamson
Childers, W. D.	Lewis	Scott	Wilson
Dunn	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	
Graham	Peterson	Tobiassen	

Nays—1

Gordon

Votes after roll call:

Yeas—Firestone, Winn

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 2 amendments—

By the Committee on Governmental Operations and Senator Henderson and others—

SB 311—A bill to be entitled An act relating to fire prevention and control; amending s. 633.061, Florida Statutes; deleting references to Class D licenses and Class 4 permits; requiring completion of certain courses prior to renewal of permits; establishing prerequisites for the issuance of a license or permit; deleting exception to certification requirements for certain plumbing contractors; extending the hydrostatic test interval for aluminum shell fire extinguishers; providing for the adoption of certain rules; providing for the gradual elimination of inverting water type fire extinguishers; amending s. 633.083 (1), (2), Florida Statutes; removing the prohibition against bromochlorodifluoromethane fire extinguishers; prohibiting the offering for sale, selling, or giving of any toxic or poisonous vaporizing liquid fire extinguisher or any fire extinguisher which lacks a permanent serial number; providing a penalty; amending s. 633.171(2), Florida Statutes; making it unlawful to intentionally or willfully render a fire extinguisher system inoperative, obliterate the serial number on a fire extinguisher for purposes of falsifying certain records, improperly service, recharge, repair, test, or inspect a fire extinguisher or system, use the permit number of another person, hold a permit and allow another to use the permit number, or use or permit the use of a license by other than the individual or organization to whom issued; providing penalties; eliminating the penalty for stealing a fire extinguisher; amending s. 633.521(1)-(4), (6), Florida Statutes; providing for the administration of certain examinations by the State Fire Marshal; providing for alternative versions of such examinations; providing for the preparation, administration, and scoring of such examinations; eliminating inspection to determine financial responsibility and credit and business reputation as a prerequisite to the taking of such examinations; requiring certificate holders to pass such examination prior to renewal of the certificate; providing exceptions; amending s. 633.534(3)(a), (e), Florida Statutes; providing circumstances for the revocation of a certificate; providing rights and responsibilities in the event of the death of a certificate holder; requiring the State Fire Marshal to be responsible for approving the design of and inspecting the construction of certain systems; amending s. 633.537(1), Florida Statutes; correcting a typographical error; providing that the State Fire Marshal may make certain inspections; reviving and readopting certain sections of chapter 633, Florida Statutes, as amended, notwithstanding the provisions of the Regulatory Reform Act of 1976; providing for retroactivity; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 14, lines 6-10, strike However, this provision is not applicable to those certificate holders who can produce before July 1, 1979 satisfactory evidence of having been actively engaged in this occupation prior to the effective date of this act.

Amendment 2—On page 2, lines 16 & 17, strike providing exceptions;

Senator Henderson moved that the Senate concur in the House amendments. The motion failed. The vote was:

Yeas—13

Castor	Gallen	Peterson	Zinkil
Childers W. D.	Hair	Scarborough	
Dunn	Henderson	Scott	
Firestone	MacKay	Skinner	

Nays—21

Chamberlin	Johnston	Spicola	Williamson
Childers, Don	Lewis	Thomas, Pat	Wilson
Glisson	McClain	Tobiassen	Winn
Gordon	Plante	Trask	
Graham	Poston	Vogt	
Holloway	Renick	Ware	

Vote after roll call:

Nay—Firestone

On motions by Senator Holloway, the Senate refused to concur in the House amendments and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By Senator Jon Thomas—

SB 668—A bill to be entitled An act relating to automobile inspection and warranty associations; amending s. 634.011(1) and (3), Florida Statutes, and adding subsections, modifying and providing definitions; amending s. 634.031(2), Florida Statutes, requiring licensure to conduct certain business; amending s. 634.041, Florida Statutes; modifying present, and providing additional, qualifications for licensure; requiring maintenance of unearned premium reserves; providing exceptions; providing further requirements relative thereto; amending s. 634.052(1), (2), and (5), Florida Statutes, removing certain bonding requirements and requiring deposit of additional securities; creating s. 634.053, Florida Statutes, requiring that certain records be kept; creating s. 634.062, Florida Statutes, providing a penalty for selling warranty of nonlicensed association; adding subsection (5) to s. 634.081, Florida Statutes, providing an additional ground for revocation or suspension of license; adding subsection (4) to s. 634.121, Florida Statutes, providing for cancellation provisions in warranty contracts; adding subsections (3) and (4) to s. 634.131, Florida Statutes; providing that warranty premiums shall not be subject to the sales tax; providing a daily penalty for failure to timely file annual statements; amending s. 634.171, Florida Statutes, providing a fee for annual registration of salesmen; creating s. 634.252, Florida Statutes, relating to acquisition of controlling stock; creating s. 634.253, Florida Statutes, relating to dissolution or liquidation of a corporation; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 7, line 8, after the period “.” insert: (d) As of October 1, 1981—\$300,000.

On motion by Senator Jon Thomas, the Senate concurred in the House amendment.

SB 668 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Myers	Thomas, Pat
Castor	Graham	Peterson	Tobiasen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Johnston	Scott	Williamson
Firestone	Lewis	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 4 amendments—

By Senators Castor and Graham—

SB 694—A bill to be entitled An act relating to the Student Loan Trust Fund; amending s. 239.671, Florida Statutes; deleting the requirement that excess funds only be used to assist in funding the scholarship loan program for state university and public community college students; providing that certain student fees shall not be collected if the Division of Bond Finance of the Department of General Services and the Commissioner of Education determine that such fees are not required as security for revenue bonds; providing for disposition of moneys collected in such event; upon such determination, repealing s. 239.71, Florida Statutes, relating to fees in the Student Financial Aid Trust Fund; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 15, strike “financial aid purposes” and insert: *student loan programs*

Amendment 2—On page 2, lines 18-21, strike all of Section 2 and insert: Section 2. Section 239.71, Florida Statutes, is amended to read:

239.71 Fees collected under s. 239.67 as security for bonds.—The Department of Education shall have power to pledge, collect, and apply the fees provided for in s. 239.671 in the Student Financial Aid Trust Fund, created by s. 239.67, as additional security for such revenue bonds, together with the revenues provided for under s. 239.705 and any other moneys contained in the fund. Any such pledged fees not used for debt service on the revenue bonds issued pursuant to ss. 239.70-239.76 shall be used for the other purposes of the Student Financial Aid Trust Fund including the purposes specified in s. 239.671.

(AND RENUMBER SUBSEQUENT SECTIONS)

Amendment 3—On page 2, line 14, after “met,” insert: *and up to \$150,000 has been used to establish a financial aid data processing system for the State University System incorporating the necessary features to meet the needs of all nine universities for application through disbursement processing,*

Amendment 4—On page 1 in title, line 15, strike “repealing” and insert: *amending*

On motions by Senator Castor, the Senate concurred in the House Amendments.

SB 694 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Childers, W. D.	Glisson	Holloway
Castor	Dunn	Graham	Johnston
Chamberlin	Firestone	Hair	Lewis
Childers, Don	Gallen	Henderson	MacKay

McClain	Saylor	Thomas, Jon	Ware
Myers	Scarborough	Thomas, Pat	Williamson
Peterson	Scott	Tobiasen	Wilson
Poston	Skinner	Trask	Winn
Renick	Spicola	Vogt	Zinkil

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 2 amendments—

By Senator Myers—

SB 735—A bill to be entitled An act relating to performance bonds for highway construction and maintenance contracts; amending s. 337.14(1), Florida Statutes; providing for confidentiality of information; amending s. 337.18(1), Florida Statutes; permitting the contractor to choose, within certain limits, the form of such security regardless of the type of contract or the contract price; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 12, strike “chapter 119.” and insert: *s. 119.07(1), Florida Statutes.*

Amendment 2—On page 2, line 31, strike \$100,000 and insert: \$25,000

On motions by Senator Myers, the Senate concurred in the House Amendments.

SB 735 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Peterson	Thomas, Pat
Castor	Graham	Poston	Tobiasen
Chamberlin	Hair	Renick	Trask
Childers, Don	Holloway	Saylor	Vogt
Childers, W. D.	Johnston	Scarborough	Ware
Dunn	Lewis	Scott	Williamson
Firestone	MacKay	Skinner	Wilson
Gallen	McClain	Spicola	Winn
Glisson	Myers	Thomas, Jon	Zinkil

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 2 amendments—

By Senator Vogt—

SB 785—A bill to be entitled An act relating to Brevard County; authorizing the Board of County Commissioners to designate building and zoning inspectors as law enforcement officers for the purpose of issuing citations for violations of county ordinances or regulations or special acts relating to land use regulation; providing for the form and disposition of such citations; providing limitations on the authority of inspectors designated as law enforcement officers; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, strike everything after the enacting clause and insert: Section 1. (1) The Board of County

Commissioners of Brevard County, Florida, may by resolution designate building inspectors and zoning inspectors as law enforcement officers. Such law enforcement officers shall have the power to issue a Notice to Appear in the County Court of Brevard County to any property owner or other person or corporation which violates any provision, requirement or rule of any special act applicable to Brevard County, Florida, of any ordinance adopted by the Board of County Commissioners of Brevard County, Florida, or of any regulation adopted by the Board of County Commissioners of Brevard County, Florida, pursuant to a special act or county ordinance, which special act, ordinance or regulation provides land use regulation or controls and zoning, or adopts building and construction codes or standards, or provides for the licensing of contractors or members of the building trades.

(2) Such notice shall be issued only after a written warning of the specific violation is delivered to the property owner or other person or corporation which may be charged with such violation, giving such individual or corporation a time certain to correct the violation, but in no case less than three (3) days from the date of the delivery of the warning. When the property owner or other person or corporation to whom a warning has been given does not voluntarily correct the violation, or does not institute an administrative appeal within the period of time specified in the written warning, such law enforcement officer may issue a Notice to Appear. If a property owner or other person or corporation to whom a warning has been given institutes an administrative appeal, and the appeal is decided adversely to the property owner or other person or corporation to whom a warning has been given, the law enforcement officer shall set a time certain for the voluntary correction of the violation and if such violation is not corrected within the time certain, the law enforcement officer may issue the Notice to Appear.

(3) The building inspectors or zoning inspectors so designated as law enforcement officers shall prepare in quadruplicate a written Notice to Appear in court containing the name and address of the person, the offense charged, the time and place where the person shall appear in court, the name and address of the court, the name of the law enforcement officer, and the signature of the person. The court specified in the notice shall be the trial court having jurisdiction to try the offense charged. The provisions of ss. 901.30, 901.31 and 901.32, Florida Statutes, shall be fully applicable to the Notice to Appear issued by the building inspectors or zoning inspectors so designated as law enforcement officers under this act.

(4) Law enforcement officers designated pursuant to this act shall not be police officers and shall not make physical arrests or take any person into custody and shall therefore be exempt from the requirements relating to the state high-hazard retirement program and Police Standards and Training Commission as defined by ss. 122.34 and 943.11 through 943.25, Florida Statutes.

Section 2. Nothing in this act shall in any way be construed or interpreted to limit the powers, duties and obligations of the Office of the Sheriff of Brevard County as provided by law or to limit or repeal any alternative legal remedies provided under any special act, regulation or county ordinance providing land use regulation or controls and zoning, or adopting building and construction codes or standards, or providing for the licensing of contractors or members of the building trades.

Section 3. This act shall take effect upon becoming a law.

Amendment 2—On page 1, strike the entire title and insert: A bill to be entitled An act relating to Brevard County; authorizing the Board of County Commissioners to designate county building and zoning enforcement officials to issue citations for violations of county ordinances; providing for the disposition of citations and for prosecutions thereof; providing an effective date.

On motions by Senator Vogt, the Senate concurred in the House Amendments.

SB 785 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Graham	Poston	Trask
Castor	Hair	Renick	Vogt
Chamberlin	Henderson	Sayler	Ware
Childers, Don	Holloway	Scarborough	Williamson
Childers, W. D.	Johnston	Scott	Wilson
Dunn	Lewis	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted with 2 amendments—

By the Committee on Education and Senators Peterson and MacKay—

CS for SCR 960—A concurrent resolution approving the types, amounts and use of registration fees, tuition fees, and course fees to be charged and collected from students enrolled in the institutions of higher learning under the Board of Regents starting with fall quarter of 1978; providing a contingency; authorizing waiver of tuition for non-Florida students in a specified amount; providing certain assurances; requiring a report; providing for approval of certain projects.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 5, lines 20-25, strike all of Section 5 and insert: Section 5. BE IT FURTHER RESOLVED, that each student government association shall be responsible for the continued maintenance of the salaries and benefits of career personnel currently funded by Activity and Service Fees, provided that no new position shall be funded by Activity and Service Fees after July 1, 1978, except upon the mutual agreement of the administration of each university and its respective student government association.

Amendment 2—On page 6, line 8, insert: Section 8. BE IT FURTHER RESOLVED, that, the Activity and Service Fees generated by each branch campus of a state university within the state university system shall be returned in full to each generating branch campus to be budgeted and expended by the branch campus student government in compliance with the intent of s. 240.0951, Florida Statutes.

On motions by Senator Peterson, the Senate concurred in the House amendments.

CS for SCR 960 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Graham	Poston	Trask
Castor	Hair	Renick	Ware
Chamberlin	Henderson	Sayler	Williamson
Childers, Don	Johnston	Scarborough	Wilson
Childers, W. D.	Lewis	Skinner	Winn
Dunn	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	

Nays—None

Vote after roll call:

Yea—Vogt

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 2 amendments—

By Senator Gallen—

SB 967—A bill to be entitled An act relating to DeSoto County; authorizing the School Board of DeSoto County to acquire, construct, lease, improve, furnish, and equip school buildings or sites and to refund outstanding certificates of indebtedness; authorizing the board to issue certificates of indebtedness; limiting the aggregate principal, interest rate, and maturity dates of such certificates; providing for the form of such certificates; providing for determination of the place of payment of such certificates; providing for the sale of such certificates; providing that the principal and interest of such certificates is repayable only from certain funds; providing that such certificates are legal investments for certain entities; declaring that the Legislature will not impair the rights of holders of such certificates; providing that such powers of the board are supplemental and additional authority; providing severability; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, lines 9-10, strike not exceeding seven and one-half percent (7½%) per annum and insert: pursuant to s. 215.685, Florida Statutes,

Amendment 2—On page 2, lines 27 & 28, strike or private

On motions by Senator Gallen, the Senate concurred in the House Amendments.

SB 967 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Graham	Poston	Trask
Castor	Hair	Renick	Vogt
Chamberlin	Henderson	Saylor	Ware
Childers, Don	Holloway	Scarborough	Williamson
Childers, W. D.	Johnston	Scott	Wilson
Dunn	Lewis	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 2 amendments—

By Senator Gallen—

SB 968—A bill to be entitled An act relating to DeSoto County; amending section 8, chapter 65-1450, Laws of Florida; providing that the district hospital board of DeSoto County may incur short term indebtedness on behalf of the district, in an amount and at an interest rate to be determined by the board; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 16-19, strike all of said lines and insert: district. Such indebtedness shall be in an amount determined by the district board to be the most advantageous to the district at the time of incurring such indebtedness, and at a rate of interest pursuant to s. 215.685, Florida Statutes.

Amendment 2—On page 1, in title, lines 6 & 7, strike and at an interest rate to be determined by the board; and insert:

to be determined by the board, and at a rate of interest pursuant to general law;

On motions by Senator Gallen, the Senate concurred in the House Amendments.

SB 968 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Myers	Thomas, Pat
Castor	Graham	Poston	Tobiassen
Chamberlin	Hair	Renick	Trask
Childers, Don	Henderson	Saylor	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Johnston	Scott	Williamson
Firestone	Lewis	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil

Nays—None

Vote after roll call:

Yea—Peterson

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 3 amendments—

By Senators Tobiassen and W. D. Childers—

SB 1305—A bill to be entitled An act relating to Escambia County; prohibiting the use of fishing nets, except hand cast nets, in described waters of Escambia County; prescribing minimum mesh size for fishing nets used in waters where fishing with nets is permitted by law; repealing chapter 6266, Laws of Florida, 1911, chapter 7009, Laws of Florida, 1915, chapter 21214, Laws of Florida, 1941, chapter 24498, Laws of Florida, 1947, and chapter 30732, Laws of Florida, 1955, relating to the use of fishing nets and to the prohibition of commercial fishing in certain waters of Escambia County; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, lines 5 and 6, strike after being tarred and shrunk

Amendment 2—On page 2, line 6, after the word “any” insert: inland salt

Amendment 3—On page 1 in title, line 13, after the word “certain” insert: inland salt

On motions by Senator Tobiassen, the Senate concurred in the House amendments.

SB 1305 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gordon	Poston	Tobiassen
Castor	Graham	Renick	Trask
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	Lewis	Spicola	Zinkil
Gallen	MacKay	Thomas, Jon	
Glisson	McClain	Thomas, Pat	

Nays—None

Votes after roll call:

Yeas—Peterson, Vogt

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1, 2, 4, 6, 7 and 8; has amended Senate Amendments 5 and 10 concurred in same as amended and passed CS for HB 307, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Kutun and others—

CS for HB 307—A bill to be entitled An act relating to condominiums; adding new paragraphs to s. 718.112(2), Florida Statutes, and amending subsection (3), providing that condominium association bylaws must require that all officers of certain associations shall be bonded and that the association shall bear the cost of bonding; requiring that such bylaws include proposed annual budget information; amending s. 718.111(1), Florida Statutes, and adding subsections (11), (12) and (13) thereto, exempting certain associations from the requirement of being incorporated; providing that notwithstanding any provision in chapter 718, Florida Statutes, an association under certain conditions may operate a group of residential condominiums as though they were a single condominium for purposes of financial matters and that common expenses for a group of residential condominiums operated by a single association may be assessed against all unit owners; requiring that certain amendments to a declaration of condominium be by secret ballot; authorizing condominium associations to purchase land and/or recreation leases; amending s. 718.203(6), Florida Statutes, providing that an insured warranty program of no less than 10 years duration which covers a residential condominium shall remain in effect for the remaining portion of said 10 year period; providing that the insuring company is required to meet any obligations of this section; providing an effective date.

House Amendment 1 to Senate Amendment 5—On page 1, lines 9-13 of Senate Amendment 5, strike “, or in the case of an underlying land lease, a person or entity which is not the developer or directly or indirectly owned or controlled by the developer and did not obtain, directly or indirectly, ownership of the leased property from the developer”

House Amendment 1 to Senate Amendment 10—On page 1, lines 3 and 4 of Senate Amendment 10, strike “, and with respect to underlying land leases, certain other lessors”

On motions by Senator Don Childers, the Senate concurred in the House Amendments to Senate Amendments 5 and 10.

CS for HB 307 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gordon	Myers	Thomas, Jon
Castor	Graham	Peterson	Thomas, Pat
Chamberlin	Hair	Poston	Tobiassen
Childers, Don	Henderson	Renick	Trask
Childers, W. D.	Holloway	Sayler	Ware
Dunn	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Winn
Gallen	MacKay	Skinner	Zinkil
Glisson	McClain	Spicola	

Nays—None

Vote after roll call:

Yea—Vogt

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 2, has amended

Senate Amendment 1 concurred in same as amended and passed HB 718, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Tourism and Economic Development and Representative Robinson—

HB 718—A bill to be entitled An act relating to the Division of Economic Development; amending s. 288.03(9) and (16), Florida Statutes, and adding a subsection; requiring that certain reports be made annually to the Governor and Legislature; requiring the annual preparation of a list of companies locating, expanding, moving, or halting operations in the state and of companies laying off employees; specifying information to be included; providing an effective date.

House Amendment 1 to Senate Amendment 1—Strike lines 10-15 and insert: The Economic Development Advisory Committee shall annually, on or before November 1, submit to the Legislature and to the Division of Economic Development of the Department of Commerce a plan for implementing the intent of the economic development legislation.

On motion by Senator Graham, the Senate concurred in the House Amendment to Senate Amendment 1.

HB 718 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gordon	Peterson	Thomas, Pat
Castor	Graham	Poston	Tobiassen
Chamberlin	Hair	Renick	Trask
Childers, Don	Henderson	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	

Nays—None

Vote after roll call:

Yea—Vogt

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 & 2 and requests the Senate to recede.

By the Committees on Appropriations and Retirement, Personnel & Collective Bargaining and Representative Hazouri and others—

CS for HB's 1140 and 2093—A bill to be entitled An act relating to retirement; amending s. 121.021(15), (24), and (29)(b), Florida Statutes, redefining the terms “special risk member,” “average final compensation,” and “normal retirement date” for the purposes of the Florida Retirement System; creating s. 121.022, Florida Statutes, providing legislative intent and providing for criteria, designation and removal of special risk members, amending s. 121.052(4)(a) and (b), Florida Statutes, relating to employers' contributions for members of the Elected State Officers' Class of the system; increasing certain employers' contributions; amending s. 121.071(1), (2), (3)(b), and (5), Florida Statutes, requiring special risk members or employers to contribute 4.52 percent of gross compensation each pay period; increasing employers' contributions; providing certain refunds; providing procedure for payment of contributions; amending s. 121.091(1)(a), Florida Statutes, and adding subsection (11) to said section; providing procedures for the determination of benefit amounts with respect to certain members of the system; providing that members of the system who are school district or community college employees with 30 years of creditable service may retire as of August 1, 1978; creating s. 238.072, Florida Statutes; providing for retirement benefits for all state and county cooperative extension personnel who are presently under chapter 238, Florida Statutes, who may re-

tire at age 55 upon completion of 30 years of creditable service; providing an effective date.

Allen Morris, Clerk

On motions by Senator Johnston, the Senate refused to recede from Senate Amendments 1 and 2 and the House was again requested to concur, and in the event the House refused to concur, a conference committee was requested. The action of the Senate was certified to the House.

SPECIAL ORDER

SB 953—A bill to be entitled An act relating to transportation; amending s. 23.050, Florida Statutes; making certain functions and duties of the Secretary of the Department of Transportation duties of the department; requiring the department to provide public surface transit equipment and services in certain situations; adding s. 334.021(4)(d)(h), Florida Statutes; providing definitions; creating s. 334.121, Florida Statutes; providing duties of the department relating to a surface transit program; creating s. 334.122, Florida Statutes; providing for the administration and financing of the surface transit program; amending s. 334.211(2), Florida Statutes; providing guidelines for comprehensive plans by the department; amending s. 338.19(1), Florida Statutes; providing for reimbursement to utilities for relocation expenses of certain facilities; providing an effective date.

—was read the second time by title.

The Committee on Appropriations offered the following amendment which was moved by Senator Myers:

Amendment 1—On page 1, line 25, strike everything after the enacting clause and insert: Section 1. Sections 334.025, 334.026, 334.027, 334.028, and 334.029, Florida Statutes, are created to read:

334.025 Short Title.—Sections 334.025-334.029 shall be known and may be cited as the "Florida Public Transit Act."

334.026 Legislative Intent.—It is the legislative intent of ss. 334.025-334.029 to define the role of the Department of Transportation in developing the transit element of an effective multimodal transportation system for the State of Florida. This role shall be viewed as dynamic and capable of recognizing changing developments in technology and local, state, and federal laws and policies that affect the state's total multimodal transportation system. It is further recognized by the Legislature that adequate and efficient public surface transit services are essential to the economic growth of the urban and rural communities of the state and the well being of its people. It is in the best interests of the state to encourage and promote the development of public transit systems, embracing various modes of transport in a manner that will serve the state, including local and regional areas, in a safe, efficient, and effective manner.

334.027 Definitions.—As used in ss. 334.025-334.029:

(1) "Public transit" means the transporting of people by conveyances, or systems of conveyances, traveling on land or water, local or regional in nature, and available for use by the public. Public transit systems may be either governmentally owned or privately owned. Public transit specifically includes those forms of transportation commonly known as "paratransit."

(2) "Public transit capital project" means a project undertaken by a public agency to provide public transit to its constituency, and is limited to acquisition, design, construction, reconstruction, or improvement of a governmentally owned or operated transit system.

(3) "Public transit service development project" means a project undertaken by a public agency to determine whether a new or innovative technique or techniques or measures can improve or expand public transit services to its constituency. The scope of such projects shall include all items associated with the development and the project duration shall not exceed 24 months. Public transit service development projects specifically include projects involving the utilization of new services, routes, vehicle frequencies, purchase of special transportation services, and other such techniques for increasing service to the riding

public as they apply to specific localities and transit user groups.

(4) "Paratransit" means those elements of public transit which provide service between specific origins and destinations selected by the individual user with such service being provided at a time that is agreed upon by the user and the provider of the service. Paratransit service is provided by taxis, limousines, "dial-a-ride" buses, and other demand responsive operations that are characterized by their nonscheduled, nonfixed route nature.

(5) "Ridesharing" means an arrangement between persons with a common destination, or destinations, within the same proximity, to share the use of a motor vehicle for transportation to such destination, or destinations. Transportation under such arrangement shall be limited to a single round trip daily, in a motor vehicle manufactured for the transportation of 15 or fewer persons. Ridesharing, as herein defined, is specifically intended to distinguish this activity from public transit services such as shared-ride programs which are provided for hire by governmentally owned or privately owned providers of such services.

334.028 Duties and responsibilities of the department.—The department shall:

(1) Provide overall leadership and direction for public transit programs in Florida.

(2) Develop a statewide plan which provides for public transit needs at least 5 years in advance and for a reasonable projection of such needs 20 years in advance. The plan shall be developed in a manner that will assure maximum use of existing facilities, and optimum integration and coordination of the various modes of transportation, both governmentally owned and privately owned resources, in the most cost effective manner possible. The statewide plan shall incorporate plans adopted by local and regional planning agencies and shall, insofar as practical, conform to federal planning requirements.

(3) Develop, publish, and administer state standards concerning system management, performance, and safety of governmentally owned public transit systems. Such standards shall be developed jointly with representatives of affected transit systems with full consideration given to nationwide industry norms and shall define the minimums acceptable to Florida, as well as long-range goals.

(4) Study public transit problems and provide technical and financial assistance to units of local government for resolution thereof. The department may assist public agencies who provide public transit by making department owned transit vehicles and appurtenances available for lease to such agencies for special needs of limited duration.

(5) Receive and administer federal grants or apportionments for public transit projects in this state when necessary to further the overall statewide program.

(6) Coordinate all activities between the public and private agencies on matters relating to public transit.

(7) Assist in the development and implementation of marketing programs for public transit services and information systems directed toward assistance of the user of public transit systems.

(8) Participate in federal research and demonstration programs relating to public transit and conduct research and demonstration projects directed to the needs of this state, including its counties and municipalities.

(9) Provide new transit services and equipment where a public need has been determined to exist pursuant to the transportation planning process and where the following conditions occur:

(a) No other governmental unit of appropriate jurisdiction exists.

(b) Service cannot be reasonably provided by a governmentally owned or privately owned public transit provider.

(c) Cost of providing service does not exceed the sum of revenues from fares charged to user, services purchased by other public agencies, local fund participation, and specific legislative appropriation for this purpose.

The department may buy, sell, own, lease, and otherwise encumber facilities, transit vehicles, and appurtenances there-

to, as necessary to provide such services or provide service by contract with governmentally owned or privately owned service providers.

(10) Provide public transportation service where emergency service is required, provided that no other private or public transportation operation is available to provide needed service and that such service is clearly in the best interests of the people or communities being served. Such service shall be provided by contractual services or actual operation of state owned transit equipment and facilities, or any other means deemed appropriate by the Secretary of Transportation, and shall be limited to a period not to exceed 2 years.

(11) Administer federal and state ridesharing programs and federal aid funds apportioned to the department for the purpose of developing studies, marketing, and implementing ridesharing programs. Vehicles used in such programs shall not be subject to regulation under chapter 323 or chapter 350, provided the department establishes requirements for adequate insurance based on the passenger capacity of each vehicle.

(12) Exercise such other functions, powers, and duties in connection with transit problems as may be necessary to develop an effective balanced transportation system in the state.

334.029 Administration and financing of public transit programs and projects.—

(1) Federal aid—

(a) The department is authorized to receive federal grants or apportionments for public transit projects in this state.

(b) Local governments are authorized to receive federal grants or apportionments for public transit projects. In addition, the provisions of s. 338.19 notwithstanding, if the relocation of utility facilities is necessitated by the construction of a fixed guideway public transit project and the utilities relocation is approved as a part of the project by a participating federal agency, if eligible for federal matching reimbursement, then any county chartered under section 6(e), Article VIII, of the state constitution shall pay at least 50% of the non-federal share of the cost attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility. The balance of the non-federal share shall be paid by the utility.

(2) Public Transit Construction and Implementation Plan.—

(a) The department shall prepare a 5-year public transit construction and implementation plan which shall be included in the department's 5-year construction plan prepared pursuant to s. 334.21(5). Provisions of s. 334.21 shall apply to public transit construction and implementation projects in the same manner that they apply to road construction projects, except that s. 334.21(5)(b) shall not apply to public transit projects.

(b) The public transit construction and implementation plan shall be consistent with the statewide public transit plan and local plans developed in accordance with the comprehensive transportation planning process. Projects involving funds administered by the department, and which will be undertaken and implemented by another public agency, shall be included in the public transit 5-year construction and implementation plan upon the request of that public agency, providing such project is eligible under the requirements established herein and subject to estimated availability of funds. Projects so included in the 5-year plan shall not be altered or removed from priority status without concurrence of the public agency or local government involved.

(3) APPROPRIATION REQUESTS.—

(a) Public transit funds shall be requested on the basis of the funding required for the public transit construction and implementation plan.

(b) Unless otherwise authorized by the Legislature no funds in excess of \$5 million shall be expended from the State Transportation Trust Fund for a single project involving a fixed guideway public transit system. Any funds in excess of \$5 million for such project shall be appropriated from a revenue source other than the State Transportation Trust Fund.

(c) Appropriation requests shall identify each public transit project calling for state expenditure of \$500,000 or more.

(d) No state funds shall be allocated or expended for operation deficits of public transit projects, except as specifically allowed for approved service development projects.

(e) Public transit service development projects shall be individually identified in the department's appropriation request. Such request shall show a breakdown in funds showing capital and operating expense.

(4) PROJECT ELIGIBILITY.—Any project necessary to carry out those duties and responsibilities enumerated in s. 334.028 is eligible for expenditure of state funds in accordance with fund participation rates established herein, subject to the following conditions:

(a) Unless otherwise authorized by the Legislature no funds in excess of \$5 million shall be expended from the State Transportation Trust Fund for a single project involving a fixed guideway public transit system. Any funds in excess of \$5 million for such project shall be appropriated from a revenue source other than the State Transportation Trust Fund.

(b) The project shall be for service or transportation facilities provided by the department under the provisions of this act, a public transit capital project, or a public transit service development project.

(c) The project has been approved by the department as being consistent with standards established pursuant to provisions of this act.

(5) FUND PARTICIPATION.—

(a) The department may fund up to 50 percent of the non-federal share of the costs of any eligible public transit capital project. Department participation shall not exceed 12 and one-half percent of the federal participation in federally assisted projects.

(b) The department is authorized to fund up to 100 percent of the cost of any eligible project that is statewide in scope or involves more than one county where no other governmental unit or appropriate jurisdiction exists.

(c) The department is authorized to fund up to 50 percent of the net costs of public transit service development projects that are local in scope and up to 100 percent of the net costs of public transit service development projects that are statewide in scope. Net costs are all costs of the project less any federal funds, fares, or other sources of income to the project.

Section 2. Section 334.024, Florida Statutes, is hereby repealed.

Section 3. This act shall take effect October 1, 1978.

Senator Myers moved the following amendments to Amendment 1 which were adopted:

Amendment 1A—On page 7, strike all of line 25 through and including line 30 and insert: (b) If a public transit project will result in the ultimate expenditure or commitment of state funds in excess of \$5 million then, unless otherwise authorized by the Legislature, any such funds in excess of \$5 million shall be appropriated from a revenue source other than the State Transportation Trust Fund.

Amendment 1B—On page 8, strike all of line 17 through and including line 23 and insert: (a) If a public transit project will result in the ultimate expenditure or commitment of state funds in excess of \$5 million then, unless otherwise authorized by the Legislature, any such funds in excess of \$5 million shall be appropriated from a revenue source other than the State Transportation Trust Fund.

Amendment 1 as amended was adopted.

The Committee on Appropriations offered the following amendment which was moved by Senator Myers and adopted:

Amendment 2—On page 1 in title, strike all of lines 1 through and including line 21 and insert: A bill to be entitled An act relating to transportation; creating ss. 334.025-334.029, Florida Statutes, providing state technical and financial assistance to local communities for planning, development, and implementation of public transit systems and services; providing a short title, legislative intent, and definitions; providing

duties and responsibilities of the Department of Transportation; requiring a statewide plan for transit systems; authorizing the department to receive federal aid; establishing minimum standards for performance and safety; authorizing the department to participate in studies and service development projects in concert with local governments and transit agencies; providing for the reimbursement of utility relocation costs in certain instances; providing for aid and funding for public transit programs through legislative appropriation and providing procedures therefor; providing for contracts between the department and receiving agencies; repealing s. 334.024, Florida Statutes, which provides a limitation on expenditures for nonhighway transportation facilities; providing an effective date.

On motion by Senator Myers, by two-thirds vote SB 953 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Holloway	Renick	Trask
Chamberlin	Johnston	Sayler	Vogt
Childers, Don	Lewis	Scarborough	Ware
Childers, W. D.	MacKay	Scott	Williamson
Firestone	McClain	Skinner	Winn
Glisson	Myers	Spicola	Zinkil
Gordon	Peterson	Thomas, Jon	
Graham	Plante	Thomas, Pat	
Hair	Poston	Tobiassen	

Nays—2

Henderson Wilson

MATTERS ON RECONSIDERATION

The motion to reconsider the vote by which SB 648 failed to pass May 25 was taken up and failed; and the Senate refused to reconsider. The vote was:

Yeas—11

Mr. President	Glisson	McClain	Scott
Firestone	Hair	Renick	Thomas, Jon
Gallen	Holloway	Scarborough	

Nays—24

Castor	Graham	Peterson	Thomas, Pat
Chamberlin	Henderson	Plante	Vogt
Childers, Don	Johnston	Poston	Ware
Childers, W. D.	Lewis	Sayler	Williamson
Dunn	MacKay	Skinner	Winn
Gordon	Myers	Spicola	Zinkil

Vote after roll call:

Nay—Tobiassen

SPECIAL ORDER, continued

Consideration of HB 359 was deferred.

SB 1244—A bill to be entitled An act relating to state officers and employees; amending s. 112.20(3), Florida Statutes; providing a means of calculating terminal payment for accumulated unused sick leave; establishing a maximum payment for such leave accumulated on or after a certain date; providing an effective date.

—was read the second time by title. On motion by Senator Plante, by two-thirds vote SB 1244 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Childers, W. D.	Gordon	Holloway
Castor	Dunn	Graham	Johnston
Chamberlin	Firestone	Hair	Lewis
Childers, Don	Glisson	Henderson	MacKay

McClain	Renick	Spicola	Vogt
Myers	Sayler	Thomas, Jon	Ware
Peterson	Scarborough	Thomas, Pat	Williamson
Plante	Scott	Tobiassen	Winn
Poston	Skinner	Trask	

Nays—None

HB 1062—A bill to be entitled An act relating to civil litigation; creating s. 57.105, Florida Statutes; providing that the court shall award a reasonable attorney's fee to the prevailing party in any civil action in which the court finds that there was a complete absence of a justiciable issue of either law or fact; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 1062 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Winn
Firestone	MacKay	Skinner	Zinkil
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	
Gordon	Peterson	Thomas, Pat	

Nays—None

Senator W. D. Childers moved that the Senate proceed to the consideration of Claims Bills at 2:00 p.m. The motion was adopted.

Senator W. D. Childers moved that SB 678 be placed on the special order calendar to be taken up at 11:30 a.m. this day. The motion was adopted by two-thirds vote.

HB 775—A bill to be entitled An act relating to taxation; creating s. 192.105, Florida Statutes; prohibiting the disclosure of certain federal tax information; providing exceptions; providing a penalty; providing an effective date.

—was read the second time by title. On motion by Senator Gordon, by two-thirds vote HB 775 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Graham	Peterson	Thomas, Pat
Castor	Hair	Plante	Tobiassen
Chamberlin	Henderson	Poston	Trask
Childers, Don	Holloway	Renick	Vogt
Childers, W. D.	Johnston	Sayler	Ware
Firestone	Lewis	Scott	Williamson
Gallen	MacKay	Skinner	Wilson
Glisson	McClain	Spicola	Winn
Gordon	Myers	Thomas, Jon	Zinkil

Nays—None

SB 556—A bill to be entitled An act relating to the Department of Professional and Occupational Regulation; adding s. 20.30(6), Florida Statutes; requiring each examining and licensing board of such department to have a layman member; requiring the Governor to fill a vacancy in such a board by appointing a layman member in certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Wilson, by two-thirds vote SB 556 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Graham	Plante	Thomas, Pat
Castor	Hair	Renick	Tobiassen
Chamberlin	Henderson	Saylor	Trask
Childers, Don	Johnston	Scarborough	Vogt
Childers, W. D.	Lewis	Scott	Ware
Firestone	MacKay	Skinner	Williamson
Gallen	Myers	Spicola	Wilson
Glisson	Peterson	Thomas, Jon	Winn

Nays—3

Holloway	Poston	Zinkil
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SB 355 was taken up and on motions by Senator Plante, the rules were waived and by two-thirds vote HB 1343 was withdrawn from the Committees on Transportation and Appropriations. On motion by Senator Plante—

HB 1343—A bill to be entitled An act relating to motor vehicle registration; adding paragraph (c) to s. 320.02(4), Florida Statutes, providing that in verifying for proof of personal injury protection or financial responsibility insurance, the tax collector shall not be liable in damages for any inadequacy, insufficiency, falsification, or unauthorized modification of any item of such proof; amending the introductory paragraph of s. 320.06(2), Florida Statutes, providing certain refunds; amending s. 320.15, Florida Statutes, providing refunds on certain license plates; providing an effective date.

—a companion measure, was substituted for SB 355 and read the second time by title. On motion by Senator Plante, by two-thirds vote HB 1343 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Hair	Plante	Tobiassen
Castor	Henderson	Poston	Trask
Chamberlin	Holloway	Renick	Vogt
Childers, Don	Johnston	Saylor	Ware
Childers, W. D.	Lewis	Scott	Williamson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Graham	Peterson	Thomas, Pat	

Nays—None

SB 355 was laid on the table.

SB 368—A bill to be entitled An act relating to the construction industry; creating s. 468.1045, Florida Statutes, providing that surplus funds of the Florida Construction Industry Licensing Board be distributed to certain universities and community colleges for industry-related research and continuing education; providing an effective date.

—was read the second time by title.

The Committee on Education offered the following amendment which was moved by Senator MacKay and adopted:

Amendment 1—On page 1, strike all of lines 11 through 24

The Committee on Appropriations offered the following amendments which were moved by Senator MacKay and adopted:

Amendment 2—On page 2, line 2, strike “fiscal year” and insert: biennial licensing year

Amendment 3—On page 2, line 3, strike “distributed” and insert: transferred to the Department of Education for distribution

Amendment 4—On page 2, line 10, after “accredited” insert: private and state

Amendment 5—On page 2, lines 13 and 14, strike “in such courses” and between the words “full-time” and “students” on line 13 insert: building construction

Amendment 6—On page 2, line 16, after the word “industry” insert: and/

Amendment 7—On page 2, between lines 18 and 19 insert: Section 2. Section 468.109(6), Florida Statutes, is hereby repealed.

Renumber subsequent sections.

Amendment 8—On page 1, line 6 in title, after “certain” insert: private and state

Amendment 9—On page 1, line 6 in title, strike “distributed” and insert: transferred to the Department of Education for distribution

Senator MacKay moved the following amendments which were adopted:

Amendment 10—On page 1, line 8 in title, after the semi-colon insert: repealing s. 468.109(6), Florida Statutes, relating to unexpended funds from certification or registration fees;

Amendment 11—On page 1, line 8 in title, after the semicolon insert: repealing s. 468.109 (6), Florida Statutes, which requires that any funds received by the Florida Construction Industry Licensing Board from certification or registration fees that remain uncommitted and unexpended revert to the General Revenue Fund;

On motion by Senator MacKay, by two-thirds vote SB 368 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

Mr. President	Glisson	MacKay	Thomas, Jon
Castor	Gordon	McClain	Thomas, Pat
Chamberlin	Graham	Myers	Tobiassen
Childers, Don	Hair	Plante	Trask
Childers, W. D.	Henderson	Poston	Ware
Dunn	Holloway	Renick	Winn
Firestone	Johnston	Saylor	Zinkil
Gallen	Lewis	Spicola	

Nays—None

Votes after roll call:

Yeas—Peterson, Scott, Vogt, Wilson

SB 912—A bill to be entitled An act relating to the sales and use tax; adding paragraph (1) to s. 212.08(7), Florida Statutes; exempting from the tax articles of typography, artwork, photoengravings, mats, stereotypes, compositions, lithographs, or electrotypes sold to a person engaged in printing if such products are to be used in producing certain materials for resale; providing an effective date.

—was read the second time by title. On motion by Senator Plante, by two-thirds vote SB 912 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gordon	Peterson	Tobiassen
Castor	Graham	Plante	Trask
Chamberlin	Hair	Poston	Vogt
Childers, Don	Henderson	Renick	Ware
Childers, W. D.	Johnston	Saylor	Wilson
Dunn	Lewis	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

Votes after roll call:

Yea—Holloway, Scott

SB 249 was taken up and on motions by Senator Myers, the rules were waived and by two-thirds vote HB 261 was withdrawn from the Committees on Transportation, Commerce, and Appropriations. On motion by Senator Myers—

HB 261—A bill to be entitled An act relating to mopeds; amending s. 316.2065(15), Florida Statutes, 1977, removing a prohibition upon the operation of mopeds on bicycle paths; requiring mopeds to conform to certain federal safety standards; adding subsection (5) to s. 320.02, Florida Statutes, 1977, providing for registration and licensing of mopeds; amending the introductory paragraph of s. 320.08, Florida Statutes, 1977, and adding paragraph (1)(c), providing a license tax; creating s. 320.0803, Florida Statutes, providing for the issuance of moped tags; amending s. 322.01(1) and (2), Florida Statutes, 1976 Supplement, requiring moped operators to obtain a driver's license; providing an effective date.

—a companion measure, was substituted for SB 249 and read the second time by title.

Senators Myers, Sayler and Johnston offered the following amendments which were moved by Senator Myers and adopted:

Amendment 1—On page 2, strike all of line 20 and insert: 320.08 License Taxes.—*Except as otherwise provided herein, there are hereby levied and*

Amendment 2—On page 2, strike all of line 30 and insert: (c) *All mopeds as defined in s. 316.003(2): \$5 flat, provided however, that annual reregistration shall not be required.*

Amendment 3—On page 3, line 8, strike the word “annually”

Further consideration of HB 261 was deferred.

SB 109—A bill to be entitled An act relating to public lodging and food service establishments; amending s. 20.16-(2)(b) Florida Statutes; renaming the Division of Hotels and Restaurants of the Department of Business Regulation as the Division of Hotels; amending ss. 509.013(1), (2), (3), (6), 509.032, 509.072, 509.091, 509.092, 509.101(1), 509.141(1), (2), (4), 509.142, 509.151, 509.161, 509.162, 509.211(2)(a), (b), (4), (5)(a), (c), (d), 509.2111, 509.212, 509.221(1), (2), (4), (6), (8), (9), 509.241(3), (4), (5), 509.251(5), 509.261(1)(a), (3)(a), (b), (4), 509.281, 509.291(1), 509.301(1), (2), (3), 509.302(3), 215.22(25), Florida Statutes, and adding s. 215.22(26), Florida Statutes; repealing ss. 509.013(5), 509.221(7), 509.241(2), 509.251(3), (4), 509.292, Florida Statutes; creating ss. 381.601-381.641, Florida Statutes; removing the statutory provisions relating to the licensing and regulation of public food service establishments from chapter 509, Florida Statutes, and reenacting such provisions, with some modifications, in chapter 381, Florida Statutes, to be administered by the Department of Health and Rehabilitative Services; renaming the Hotel and Restaurant Trust Fund as the Hotel Trust Fund; establishing the Restaurant Trust Fund and providing for the deposit of funds collected by the Department of Health and Rehabilitative Services as a result of food service establishment regulation in such fund; providing for the appointment of a portion of the members of the Advisory Council for Industry Education by the Secretary of Health and Rehabilitative Services; removing the food service establishment representatives from the advisory council to the division; removing certain duties from such council and creating an advisory council on the food service industry in the Department of Health and Rehabilitative Services; directing the Division of Statutory Revision and Indexing to make certain changes in the Florida Statutes; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendments which were moved by Senator Myers and adopted:

Amendment 1—On page 24, lines 23 and 28, strike “381.601” on both lines and insert: 381.602 (once on line 23) and 381.602 (twice on line 28)

Amendment 2—On page 25, line 31, after the period (.) insert: The public health standards utilized in inspections shall be promulgated by the department and shall be applied uniformly

throughout the state. No local government may adopt different standards without prior approval of the department, with an opportunity for concurrent review by the advisory council on the food service industry.

The Committee on Appropriations offered the following amendments which were moved by Senator Myers and adopted:

Amendment 3—On page 9, strike on line 5 the word “food;” on lines 6 and 7 the words “~~at any food service establishment, or~~”; on line 11 the word “food,” and insert: on line 5 the word “food;” on lines 6 and 7 the words “at any food service establishment, or”; on line 11 the word “food,”

Amendment 4—On page 25, line 31, after amendment 2 by Governmental Operations Committee after the period (.) insert: Any different standards submitted by local government shall be acted upon pursuant to the provisions and within the time frames as provided by Chapter 120.54, Florida Statutes.

Senator Myers moved the following amendment which was adopted:

Amendment 5—On page 45, line 30, strike “July 1” and insert: October 1

The Committee on Governmental Operations offered the following amendment which was moved by Senator Myers and adopted:

Amendment 6—On page 1 in title, line 20, strike “381.601” and insert: 381.602

Senator Myers moved the following amendments which were adopted:

Amendment 7—On page 1, line 20, strike the word “the” and insert: certain

Amendment 8—On page 1 in title, line 27, after the semicolon “;” insert: providing for the adoption of standards; prohibiting a unit of local government from adopting standards in conflict therewith except under certain circumstances;

Amendment 9—On page 1 in title, line 27, before the word “renaming” insert: providing a procedure for action upon such different standards;

On motion by Senator Myers, by two-thirds vote SB 109 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—18

Castor	Graham	Myers	Trask
Chamberlin	Henderson	Sayler	Vogt
Childers, Don	Holloway	Scott	Zinkil
Gallen	Johnston	Skinner	
Glisson	Lewis	Thomas, Jon	

Nays—14

Childers, W. D.	Poston	Thomas, Pat	Wilson
Dunn	Renick	Tobiassen	Winn
McClain	Scarborough	Ware	
Plante	Spicola	Williamson	

Vote after roll call:

Yea—Peterson

SB 1035—A bill to be entitled An act relating to automobile no-fault insurance; amending s. 627.736(4), Florida Statutes; removing the requirement that Medicaid benefits be credited against personal injury protection benefits; providing an effective date.

—was read the second time by title.

Senator McClain moved the following amendment which failed:

Amendment 1—On page 1, strike all of lines 11 through 14 and insert: Section 1. Paragraph (b) of subsection (2) and subsection (4) of section 627.736, Florida Statutes, is amended to read:

627.736 Required personal injury protection benefits, exclusions; priority.—

(2) **AUTHORIZED EXCLUSIONS.**—Any insurer may exclude benefits:

(b) To any injured person, if such person's conduct contributed to his injury under any of the following circumstances:

1. Causing injury to himself intentionally;
2. Being convicted of driving while under the influence of alcohol or narcotic drugs to the extent that his driving faculties are impaired or being convicted of driving or being in actual physical control of a vehicle while having an unlawful blood alcohol level as provided in s. 316.193(3); or
3. Being injured while committing a felony. Whenever an insured is charged with conduct as set forth in subparagraphs 2. or 3., the 30-day payment provision of paragraph (4)(b) shall be held in abeyance, and the insurer shall withhold payment of any personal injury protection benefits pending the outcome of the case at the trial level. If the charge is noll prossed or dismissed or the insured is acquitted, the 30-day payment provisions shall run from the date the insurer is notified of such action.

Senator Jon Thomas moved the following amendments which were adopted:

Amendment 2—On page 3, between lines 21 and 22, insert: Section 2. Subsection (9) of section 11.147, Florida Statutes, is hereby repealed.

(Renumber subsequent section.)

Amendment 3—On page 1 in title, line 6, after the semicolon insert: repeals subsection (9) of section 11.147, Florida Statutes, relating to the hiring of an actuary by the Joint Legislative Management Committee to assist in developing automobile insurance legislation;

On motion by Senator Jon Thomas, by two-thirds vote SB 1035 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Mr. President	Glisson	Poston	Tobiassen
Castor	Graham	Renick	Trask
Chamberlin	Henderson	Scarborough	Vogt
Childers, Don	Holloway	Scott	Ware
Childers, W. D.	Johnston	Skinner	Williamson
Dunn	MacKay	Spicola	Wilson
Firestone	McClain	Thomas, Jon	Winn
Gallen	Plante	Thomas, Pat	Zinkil

Nays—None

Votes after roll call:

Yea—Peterson

HB 187—A bill to be entitled An act relating to industrial savings banks; amending s. 656.18(5), Florida Statutes, relating to the taking of second mortgages on real estate by such banks; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator W. D. Childers and adopted:

Amendment 1—On page 1, before line 10, insert: Section 1. Subsection (1) of section 656.17, Florida Statutes, is amended to read:

656.17 Special powers.—Industrial savings banks in addition to the general and usual powers incidental to ordinary corporations for profit in this state, which are not specifically restricted in this law, shall have the following special powers, to wit:

(1) **LOANS; SECURITY REQUIRED, INTEREST AND CHARGES.**—The right to lend money upon the security of comakers, personal chattels, or other property and to take, receive, reserve, and charge for such loans or discounts made or upon any notes, bills of exchange, or other evidences of debt, a discount not to exceed 8 percent per annum upon the total amount of the loan from the date thereof until the maturity of the final installment, notwithstanding that the principal amount of such loan is required to be repaid in installments, plus an additional charge not to exceed 2 percent of the principal amount of any loan, which additional charge shall be for investigating the character of the individual applying for the loan, the security submitted and all other costs in connection with the making of such loans, all which charges and discounts may be collected at the time the loan is made; provided, however, that on such loans which exceed 36 months in duration, the discount, without regard to the additional charges permitted hereunder, shall not exceed the equivalent of 18 percent per annum simple interest calculated on the assumption that the loan will be paid in accordance with its agreed terms, whether or not the loan may be paid or collected prior to stated maturity. No other charge of any kind or nature whatsoever, by whatsoever purpose or name designated, shall be made; provided, however, that when a loan is of such character as to necessitate the filing or recording of a legal instrument, an additional charge may be made for such filing or recording, providing such charge is actually paid to the proper public officials; also borrower may be required to pay abstract costs, reasonable attorney's fees, documentary stamp taxes, other taxes, premiums on insurance, and other similar charges, if the bank deems the same necessary for the protection and security of said loan.

(Renumber remaining sections accordingly.)

Amendment 2—On page 1 in title, line 3, insert: amending s. 656.17(1), Florida Statutes, providing that the discount shall not exceed the equivalent of 18 percent per annum simple interest on loans exceeding 36 months;

On motion by Senator W. D. Childers, by two-thirds vote HB 187 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Glisson	Poston	Trask
Castor	Graham	Renick	Ware
Chamberlin	Henderson	Scarborough	Williamson
Childers, Don	Holloway	Skinner	Wilson
Childers, W. D.	Johnston	Spicola	Winn
Dunn	MacKay	Thomas, Jon	Zinkil
Firestone	McClain	Thomas, Pat	
Gallen	Plante	Tobiassen	

Nays—None

Votes after roll call:

Yeas—Peterson, Scott
Yea to Nay—Mr. President

The hour of 11:30 a.m. having arrived, the Senate proceeded to consideration of—

By the Committee on Appropriations and Senators Pat Thomas, Renick, Lewis, Poston, Don Childers, Firestone, Barron, Zinkil, Scott, Peterson, MacKay, Chamberlin, W. D. Childers, Tobiassen, Skinner, Castor, Glisson, Gorman, Trask, Jon Thomas, Gallen, Spicola, Dunn, Holloway and Winn—

CS for SB 678—A bill to be entitled An act relating to the old Florida Capitol; providing a short title; directing the Division of Building Construction and Property Management of the Department of General Services to restore and preserve the old Capitol in its authentic 1902 form; providing an appropriation; providing an effective date.

—which was read the first time by title and SB 678 was laid on the table.

On motion by Senator Pat Thomas, by two-thirds vote CS for SB 678 was read the second time by title.

Senator McClain moved the following amendments which failed:

Amendment 1—On page 1, lines 19-23, strike "1902 Capitol Restoration Alternative with Authentic Interior Improvements and with Existing Monroe Street Alignment" in the March, 1977, report of the Department of General Services entitled "Conservation Alternatives, Existing Capitol Building, Florida Capitol Complex." and insert: "1947 or Existing Capitol Restoration and Preservation Alternative and with Existing Monroe Street Alignment" in the March, 1977, report of the Department of General Services entitled "Conservation Alternatives, Existing Capitol Building, Florida Capitol Complex." The Division may remove approximately 65 feet of the central west wing and may rebuild or reinstall the west wing portico in its new location.

Amendment 2—On page 1, line 28, strike "\$7,039,440" and insert: \$5,000,000

On motion by Senator Pat Thomas, by two-thirds vote CS for SB 678 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Gallen	Scott	Ware
Castor	Graham	Skinner	Williamson
Chamberlin	Henderson	Spicola	Wilson
Childers, Don	MacKay	Thomas, Jon	Zinkil
Childers, W. D.	McClain	Thomas, Pat	
Dunn	Poston	Tobiassen	
Firestone	Renick	Trask	

Nays—7

Glisson	Myers	Sayler	Vogt
Johnston	Plante	Scarborough	

Votes after roll call:

Yeas—Holloway, Peterson

Explanation of Vote:

Although I favor keeping the Historic Capitol (1947) in its entirety, I voted for CS for SB 678 providing for restoration and preservation of the 1902 version only because there was no other alternative available for consideration. At the time CS for SB 678 was taken up, I offered an amendment to preserve the entire 1947 Capitol, and it was soundly defeated by the Senate on a voice vote. Historians should note that I had little or no support in the Senate on my preservation efforts for the 1947 version.

David H. McClain, 21st District

SR 1338—A resolution urging the Department of General Services to take steps to assure the functioning of the elevators in the New Capitol.

—was read the second time in full. On motion by Senator W. D. Childers, SR 1338 was adopted. The vote on adoption was:

Yeas—29

Mr. President	Glisson	Poston	Ware
Castor	Graham	Renick	Williamson
Chamberlin	Henderson	Scarborough	Wilson
Childers, Don	Holloway	Skinner	Winn
Childers, W. D.	Johnston	Spicola	Zinkil
Dunn	McClain	Thomas, Jon	
Firestone	Myers	Tobiassen	
Gallen	Plante	Trask	

Nays—None

Votes after roll call:

Yeas—Peterson, Scott

SB 304—A bill to be entitled An act relating to the tax on admissions; amending s. 212.04(1), Florida Statutes; renumbering s. 212.04(2)-(8), Florida Statutes, and adding a new subsection (2) to said section; providing a partial exemption from the tax on admissions for certain scientific, historical, musical, or artistic events; providing an effective date.

—was read the second time by title.

Senator Renick moved the following amendments which were adopted:

Amendment 1—On page 1, line 13, strike everything after the enacting clause and insert: Section 1. Subsection (16) of section 212.02, Florida Statutes, is amended to read:

212.02 Definitions.—The following terms and phrases when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(16) The term "admissions" means and includes the net sum of money after deduction of any federal taxes for admitting a person or vehicle or persons to any place of amusement, sport, or recreation or for the privilege of entering or staying in any place of amusement, sport or recreation, including but not limited to theaters, outdoor theaters, shows, exhibitions, games, races or any place where charge is made by way of sale of tickets, gate charges, seat charges, box charges, season pass charges, cover charges, greens fees, participation fees, entrance fees or other fees or receipts of anything of value measured on an admission or entrance or length of stay or seat box accommodations in any place where there is any exhibition, ~~entertainment, including admissions to performances of philharmonic associations, opera guilds, little theaters, and similar organizations,~~ amusement, sport or recreation, and all dues paid to private clubs providing recreational facilities, including but not limited to golf, tennis, swimming, yachting and boating facilities; *except that the term admissions shall not mean or include charges for admission by any organization described in s. 170(c) of the Internal Revenue Code of 1954, as amended, to live performances of ballet, dance, or choral performances, concerts (instrumental and vocal), plays (with and without music), operas and readings, ocean science centers, museums of science, historical museums and botanical and zoological gardens, and exhibitions of paintings, sculpture, photography, graphic and craft arts.*

Section 2. This act shall take effect upon becoming a law.

Amendment 2—On page 1 in title, strike all of lines 2-9 and insert: An act relating to the admissions tax; amending s. 212.02(16), Florida Statutes; redefining the term "admissions" to exclude certain charges for admission; providing an effective date.

On motion by Senator Firestone, by two-thirds vote SB 304 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—29

Mr. President	Graham	Renick	Ware
Castor	Henderson	Scarborough	Williamson
Childers, Don	Holloway	Scott	Wilson
Childers, W. D.	Johnston	Spicola	Winn
Dunn	Lewis	Thomas, Jon	Zinkil
Firestone	McClain	Thomas, Pat	
Gallen	Plante	Tobiassen	
Glisson	Poston	Trask	

Nays—1

Chamberlin

Vote after roll call:

Yea—Peterson

CS for HB 959—A bill to be entitled An act relating to ad valorem tax administration; creating s. 192.047, Florida Stat-

utes; providing that an official postmark of an ad valorem tax return, exemption application, or application for special assessment filed by mail shall be considered the date of filing; providing for extension of filing deadlines which fall on a Saturday, Sunday, or legal holiday; amending s. 195.022, Florida Statutes, to prohibit county officers from using any form for administering or collecting ad valorem taxes the substantive content of which is at variance with the form prescribed by the Department of Revenue; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote CS for HB 959 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Glisson	Plante	Thomas, Pat
Castor	Graham	Poston	Tobiassen
Chamberlin	Henderson	Renick	Trask
Childers, Don	Holloway	Scarborough	Williamson
Childers, W. D.	Johnston	Scott	Wilson
Dunn	Lewis	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	

Nays—None

Vote after roll call:

Yea—Peterson

SB 588—A bill to be entitled An act relating to the state attorney; amending s. 27.25(1), Florida Statutes, authorizing the state attorney to appoint persons employed by a county or municipality as special investigators on other than a full-time basis; amending s. 27.255, Florida Statutes, providing such special investigators with powers provided full-time state attorney investigators; requiring such investigators to meet certain standards, providing them with certain rights, protections and immunities, and requiring them to post a bond; amending s. 27.34(1), Florida Statutes, authorizing counties and municipalities to provide such investigators to the state attorney; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil offered the following amendments which were moved by Senator Jon Thomas and adopted:

Amendment 1—On page 1, line 31, after the word "appoint" insert: *sheriffs, deputy sheriffs, or*

Amendment 2—On page 2, line 2, after the word "basis" insert: *with the consent of the county, sheriff, or municipality*

The Committee on Appropriations offered the following amendment which was moved by Senator Jon Thomas and adopted:

Amendment 3—On page 1, lines 30 and 31 and on page 2, lines 1 and 2, strike "*Each state attorney is further authorized to appoint persons who are employed by a county or municipality as special investigators on other than a full-time basis.*" and insert: *The state attorney of each judicial circuit is authorized to employ any municipal or county police officer or sheriff's deputy on a full-time basis as an investigator for the state attorney's office with full powers of arrest throughout his judicial circuit providing such investigator serves on a special task force to investigate matters involving organized crime, and, providing further, that the salaries of such municipal or county police officers or sheriff's deputies shall be paid by the city, county, or sheriff by which the investigator is principally employed, and with the consent of the county, sheriff, or municipality. The arrest powers granted herein shall be exercised only in the furtherance of the conduct of the business of the special task force to which such municipal or county police officer or sheriff's deputy is assigned by the said state attorney.*

Senator Myers moved the following amendment which failed:

Amendment 4—On page 3, between lines 21 and 22 insert: (5) *The salary for each investigator shall be set by the state attorney of the same judicial circuit in an amount not to exceed*

90 per cent of that state attorney's salary and shall be paid from funds appropriated to the state attorney's office for that purpose.

The Committee on Judiciary-Civil offered the following amendment which was moved by Senator Jon Thomas and adopted:

Amendment 5—On page 1 in title, line 4, after the word "appoint" insert: *sheriffs, deputy sheriffs, or*

The Committee on Appropriations offered the following amendment which was moved by Senator Jon Thomas and adopted:

Amendment 6—On page 1 in title, lines 4 through 6, after the words "state attorney to" strike: "appoint persons employed by a county or municipality as special investigators on other than a full-time basis;" and insert: *employ any municipality or county police officer or sheriff's deputy on a full-time basis as an investigator for the state attorney's office; provides that the salaries of such municipal or county police officers or sheriff's deputies shall be paid by the city, county or sheriff;*

On motion by Senator Jon Thomas, by two-thirds vote SB 588 as amended was read the third time by title.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:02 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—39:

Mr. President	Gordon	Peterson	Thomas, Pat
Barron	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	

CLAIM BILLS

On motions by Senator Plante, consideration of Senate Bills 356 and 421 was deferred.

On motion by Senator Jon Thomas, the rules were waived and SB 1276 after being engrossed was ordered immediately certified to the House.

The President declared the Senate in recess at 2:07 p.m., until 2:30 p.m.

The Senate was called to order by the President at 2:30 p.m. A quorum present—39:

Mr. President	Gordon	Peterson	Thomas, Pat
Barron	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	

CLAIM BILLS, continued

SB 356 was taken up and on motion by Senator Scott, the rules were waived and by two-thirds vote HB 620 was withdrawn from the Committee on Finance, Taxation and Claims. On motion by Senator Scott—

HB 620—A bill to be entitled An act for the relief of Phyllis McGuire; providing an appropriation to compensate her for

her injuries sustained in an automobile accident which occurred on Florida State Road S-535 due to the negligent maintenance of the road by the Department of Transportation; providing an effective date.

—a companion measure, was substituted for SB 356 and read the second time by title. On motion by Senator Scott, by two-thirds vote HB 620 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Castor	Graham	Myers	Trask
Chamberlin	Hair	Scarborough	Vogt
Childers, W. D.	Henderson	Scott	Ware
Dunn	Holloway	Spicola	Wilson
Gallen	Johnston	Thomas, Jon	
Glisson	MacKay	Thomas, Pat	
Gordon	McClain	Tobiassen	

Nays—5

Childers, Don	Renick	Williamson	Zinkil
Poston			

SB 356 was laid on the table.

SB 421 was taken up and on motion by Senator Scott, the rules were waived and by two-thirds vote HB 619 was withdrawn from the Committee on Finance, Taxation and Claims. On motion by Senator Scott—

HB 619—A bill to be entitled An act relating to Orange County; authorizing Orange County to compensate Phyllis McGuire for her injuries sustained in an automobile accident which occurred on Florida State Road S-535 due to the negligent maintenance of the road by Orange County; providing an effective date.

—a companion measure, was substituted for SB 421 and read the second time by title.

Senator Poston moved the following amendment which failed:

Amendment 1—On page 2, line 15, strike "\$37,500" and insert: \$75,000

On motion by Senator Scott, by two-thirds vote HB 619 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Castor	Gordon	McClain	Thomas, Pat
Chamberlin	Graham	Renick	Tobiassen
Childers, Don	Hair	Scarborough	Trask
Childers, W. D.	Henderson	Scott	Vogt
Dunn	Holloway	Skinner	Ware
Gallen	Johnston	Spicola	Wilson
Glisson	MacKay	Thomas, Jon	Winn

Nays—2

Poston	Williamson
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SB 421 was laid on the table.

On motions by Senator Trask, the rules were waived and Senate Bills 983, 1200 and 1315 were ordered immediately certified to the House.

HB 898—A bill to be entitled An act for the relief of the estate of Myra S. Applegate; providing an appropriation to compensate her estate for injuries and damages sustained by her due to the negligence of the Department of State; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 898 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Barron	Glisson	McClain	Thomas, Pat
Castor	Gordon	Peterson	Tobiassen
Chamberlin	Graham	Poston	Trask
Childers, Don	Hair	Renick	Ware
Childers, W. D.	Henderson	Scarborough	Winn
Dunn	Holloway	Scott	
Firestone	Johnston	Skinner	
Gallen	MacKay	Spicola	

Nays—4

Thomas, Jon	Vogt	Williamson	Wilson
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HB 873—A bill to be entitled An act for the relief of Burton and Mary Ann Holmes; providing an appropriation to compensate them for the loss of their daughter due to acts and omissions by the Department of Natural Resources; providing a limitation on attorney fees; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims offered the following amendment which was moved by Senator Firestone and adopted:

Amendment 1—On page 2, strike all of lines 15 through 17 and insert: *the attorney representing Burton and Mary Ann Holmes as full and complete compensation for any and all legal services rendered on behalf of Burton and Mary Ann Holmes with respect to the loss of their daughter.*

On motion by Senator Henderson, by two-thirds vote HB 873 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Castor	Graham	Peterson	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Johnston	Scott	Williamson
Firestone	MacKay	Skinner	Wilson
Gallen	McClain	Thomas, Jon	Winn
Glisson	Myers	Thomas, Pat	Zinkil

Nays—None

Vote after roll call:

Yea—Spicola

HB 64—A bill to be entitled An act for the relief of Floree Marie Williams; providing an appropriation to compensate her for injuries caused by the negligence of the Department of Transportation; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 64 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27

Castor	Glisson	Poston	Trask
Chamberlin	Gordon	Renick	Vogt
Childers, Don	Hair	Scarborough	Ware
Childers, W. D.	Henderson	Scott	Williamson
Dunn	Holloway	Skinner	Wilson
Firestone	Johnston	Thomas, Pat	Winn
Gallen	MacKay	Tobiassen	

Nays—3

McClain	Thomas, Jon	Zinkil
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Votes after roll call:

Yeas—Graham, Spicola

SB 1087—A bill to be entitled An act for the relief of Betty Campbell and her children Edward and Elaine Campbell; providing an appropriation to compensate them for the loss of their husband and father, Florida Highway Patrol Trooper Charles Campbell due to the negligence of the Florida Parole and Probation Commission; providing an effective date.

—was read the second time by title.

Senator W. D. Childers offered the following amendments which were moved by Senator Henderson and adopted:

Amendment 1—On page 1, strike all of lines 17 through 21 and on line 24 after "who" insert: , *in line of duty*

Amendment 2—On page 1, lines 25-30 and page 2, lines 1 and 2 strike all after the comma on line 25 and insert: NOW, THEREFORE,

Senator W. D. Childers offered the following amendment which was moved by Senator Henderson:

Amendment 3—On page 2, strike all of lines 8 through 22 and insert: Section 2. The sum of fifty thousand dollars (\$50,000) is appropriated from the funds in the appropriate account in the general revenue fund to compensate Betty Campbell, Edward Campbell and Elaine Campbell for the tragic loss of their husband and father.

Section 3. The comptroller of the state is hereby authorized and directed to draw his warrant in the sum of fifty thousand dollars (\$50,000) upon funds in the appropriate account in the general revenue fund in favor of Betty Campbell, Edward Campbell and Elaine Campbell, with twenty-five thousand dollars (\$25,000) of that amount to be applied to a joint trust fund for Edward and Elaine Campbell, minors, such funds to be administered and accounted for by their legal guardian. The state treasurer is authorized and directed to pay the above appropriation out of funds in the state treasury not otherwise appropriated.

Senator Skinner moved the following amendment to Amendment 3 which was adopted:

Amendment 3A—On page 1, lines 1 and 8, strike "Fifty-thousand dollars (\$50,000.00)" and insert: Seventy-five thousand dollars (\$75,000.00)

Senator Dunn moved the following amendment to Amendment 3 which was adopted:

Amendment 3B—On page 1, line 8, after \$50,000 insert: plus reasonable attorneys' fees of 25% of the total award.

Amendment 3 as amended was adopted.

Senator W. D. Childers offered the following amendment which was moved by Senator Henderson and adopted:

Amendment 4—On page 1 in title, lines 6 through 8, strike "due to the negligence of the Florida Parole and Probation Commission"

On motion by Senator Henderson, by two-thirds vote SB 1087 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—27

Castor	Graham	Poston	Tobiassen
Chamberlin	Hair	Renick	Trask
Childers, W. D.	Henderson	Scarborough	Ware
Dunn	Holloway	Skinner	Williamson
Firestone	McClain	Spicola	Wilson
Glisson	Peterson	Thomas, Jon	Winn
Gordon	Plante	Thomas, Pat	

Nays—2

Johnston Zinkil

Votes after roll call:

Yeas—Scott, Vogt
Yea to Nay—Plante

HB 1711—A bill to be entitled An act relating to Escambia County; providing for the relief of Herbert C. Destin for injuries received while a county employee in the course of his employ; authorizing, empowering, and requiring the board of county commissioners to settle same by payment out of the County General Fund the amount of \$25,000 in exchange for a release of liability; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1711 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Barron	Gordon	Plante	Thomas, Pat
Castor	Graham	Poston	Tobiassen
Chamberlin	Hair	Renick	Trask
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	
Glisson	Peterson	Thomas, Jon	

Nays—2

McClain Williamson

Vote after roll call:

Yea—Vogt

HB 1703—A bill to be entitled An act for the relief of John C. Vlacos, a minor; providing an appropriation to compensate him for injuries arising out of an accident while he was in attendance as a ninth grade pupil in the public schools of Alachua County; providing an effective date.

—was read the second time by title. On motion by Senator Skinner, by two-thirds vote HB 1703 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Castor	Graham	Poston	Tobiassen
Chamberlin	Hair	Renick	Trask
Childers, Don	Holloway	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Williamson
Dunn	MacKay	Skinner	Wilson
Firestone	McClain	Spicola	Winn
Glisson	Peterson	Thomas, Jon	Zinkil
Gordon	Plante	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—Vogt

HB 2061—A bill to be entitled An act relating to the relief of Jim Schatz; providing an appropriation to compensate him for attorney's fees incurred in his defense of a civil action brought against him arising from actions taken by him in the course of his duties as an employee of the Florida Game and Fresh Water Fish Commission; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 2061 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Castor	Childers, W. D.	Gordon	Henderson
Chamberlin	Firestone	Graham	Holloway
Childers, Don	Glisson	Hair	Johnston

MacKay	Renick	Thomas, Jon	Williamson
McClain	Scarborough	Thomas, Pat	Wilson
Peterson	Scott	Tobiassen	Winn
Plante	Skinner	Trask	Zinkil
Poston	Spicola	Ware	

Nays—None

Vote after roll call:

Yea—Vogt

Special Order, continued

HB 183—A bill to be entitled An act relating to abatement of nuisances; amending s. 60.05(1), Florida Statutes, providing that counties and municipalities may sue in their own names to abate nuisances; providing an effective date.

—was read the second time by title.

Senators Graham, MacKay and Chamberlin offered the following amendment which was moved by Senator Graham:

Amendment 1—On page 1, line 19, insert after the period:

When the action is brought by a citizen in the name of the State, standing to sue shall exist upon satisfaction of the following criteria:

(a) The ability of the citizen to represent adequately the claim asserted;

(b) The existence of a genuine dispute between the citizen and defendant to assure the adversary nature of the proceedings; and

(c) The existence of an injury or damages in fact suffered or to be suffered by the citizen.

Senator Spicola moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 1, line 10, strike the period and insert: , but such damages need not be greater than those suffered by the general public affected by any nuisance.

Amendment 1 as amended was adopted.

Senators Graham, MacKay and Chamberlin offered the following amendment which was moved by Senator Graham and adopted:

Amendment 2—On page 1 in title, line 5, after the semicolon insert: providing criteria for determining a citizen's standing to sue;

On motion by Senator W. D. Childers, by two-thirds vote HB 183 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Graham	Poston	Tobiassen
Castor	Hair	Renick	Trask
Chamberlin	Henderson	Sayler	Vogt
Childers, Don	Holloway	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Williamson
Dunn	MacKay	Skinner	Wilson
Gallen	McClain	Spicola	Winn
Glisson	Peterson	Thomas, Jon	Zinkil
Gordon	Plante	Thomas, Pat	

Nays—None

SB 1247 was taken up and on motion by Senator Sayler—

HB 1138—A bill to be entitled An act relating to relief acts; amending s. 11.02, Florida Statutes, and adding a subsection to s. 11.065, Florida Statutes, requiring advance notice of certain relief acts in the manner presently provided for special or local legislation; providing the content of such notice; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Sayler, by two-

thirds vote HB 1138 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Graham	Sayler	Trask
Castor	Hair	Scarborough	Ware
Chamberlin	Henderson	Scott	Williamson
Childers, Don	Holloway	Skinner	Wilson
Childers, W. D.	Johnston	Spicola	Winn
Gallen	McClain	Thomas, Jon	Zinkil
Glisson	Poston	Thomas, Pat	
Gordon	Renick	Tobiassen	

Nays—None

Votes after roll call:

Yea—Vogt, Peterson

SB 1247 was laid on the table.

By the Committee on Judiciary-Criminal and Senator W. D. Childers—

CS for SB 956—A bill to be entitled An act relating to unemployment compensation; amending s. 443.22(2), Florida Statutes, renumbering subsection (3) and adding a new subsection (3) to said section; increasing the penalty for false statements or representations, failure to make disclosures or contributions or payments; providing an effective date.

—was read the first time by title and SB 956 was laid on the table.

On motions by Senator Williamson, by two-thirds vote CS for SB 956 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Castor	Graham	Poston	Tobiassen
Chamberlin	Henderson	Renick	Trask
Childers, Don	Holloway	Sayler	Vogt
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	MacKay	Skinner	Wilson
Firestone	McClain	Spicola	Winn
Gallen	Peterson	Thomas, Jon	Zinkil
Glisson	Plante	Thomas, Pat	

Nays—None

SB 787—A bill to be entitled An act relating to creation of the Florida Research and Development Commission; providing purpose; providing definitions; creating the commission and providing for membership thereof; providing jurisdiction; providing for organization and meetings; authorizing employment of certain personnel; providing powers; providing an effective date.

—was read the second time by title.

Senator MacKay moved the following amendment which was adopted:

Amendment 1—On page 1, lines 27 and 28, strike the word "a" on line 27, and insert after the word "park": s (to make it plural)

Senator MacKay offered the following amendments which were moved by Senator Pat Thomas and adopted:

Amendment 2—On page 2, line 3, insert after the word "Commission": , or other such Research and Development Commission authorized hereunder,

Amendment 3—On page 5, line 8, insert: new Section 6.

This act is intended to encourage the formation of local and regional research and development commissions to facilitate research utilizing the expertise of universities and other centers of technical knowledge. Any such centers shall have the powers set forth above.

Senator Pat Thomas moved the following amendments which were adopted:

Amendment 4—On page 2, lines 2, 10, 21, and 22, strike the word "Florida" and insert: Capital city

Amendment 5—On page 1, line 2, strike "Florida" and insert: Capital city

On motion by Senator Pat Thomas, by two-thirds vote SB 787 as amended was read the third time by title and failed to pass. The vote was:

Yeas—6

Glisson	Hair	Trask	Zinkil
Graham	Thomas, Pat		

Nays—26

Castor	Henderson	Poston	Vogt
Chamberlin	Holloway	Renick	Ware
Childers, Don	Johnston	Sayler	Williamson
Childers, W. D.	MacKay	Skinner	Wilson
Dunn	McClain	Spicola	Winn
Gallen	Peterson	Thomas, Jon	
Gordon	Plante	Tobiassen	

SB 66 was taken up and on motion by Senator Renick, the rules were waived and by two-thirds vote HB 57 was withdrawn from the Committee on Rules and Calendar. On motion by Senator Renick—

HB 57—A bill to be entitled An act relating to Teacher's Day; creating s. 683.15, Florida Statutes, designating the third Friday in May of each year as Teacher's Day; providing an effective date.

—a companion measure, was substituted for SB 66 and read the second time by title. On motion by Senator Renick, by two-thirds vote HB 57 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Castor	Gordon	Poston	Thomas, Pat
Chamberlin	Graham	Renick	Tobiassen
Childers, Don	Hair	Sayler	Trask
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	MacKay	Scott	Williamson
Firestone	McClain	Skinner	Winn
Gallen	Peterson	Spicola	
Glisson	Plante	Thomas, Jon	

Nays—2

Henderson Vogt

SB 66 was laid on the table.

SB 1119—A bill to be entitled An act relating to state symbols; creating s. 15.041, Florida Statutes, to designate "Glenn Glitter" as the official state litter control symbol; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote SB 1119 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Graham	Scarborough	Trask
Castor	Hair	Scott	Ware
Childers, Don	Holloway	Skinner	Williamson
Childers, W. D.	MacKay	Spicola	Winn
Firestone	Peterson	Thomas, Jon	Zinkil
Gallen	Poston	Thomas, Pat	
Glisson	Renick	Tobiassen	

Nays—1

Chamberlin

On motion by Senator Graham—

SCR 295—A concurrent resolution commending the Carol City Senior High School Chiefs Football Team.

—was taken up out of order by unanimous consent and read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—37

Mr. President	Gordon	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Sayler	Ware
Chamberlin	Henderson	Scarborough	Williamson
Childers, Don	Holloway	Scott	Wilson
Childers, W. D.	Johnston	Skinner	Winn
Dunn	MacKay	Spicola	Zinkil
Firestone	McClain	Thomas, Jon	
Gallen	Myers	Thomas, Pat	
Glisson	Peterson	Tobiassen	

Nays—None

By the Committee on Judiciary-Civil and Senator Hair—

CS for SB 1142—A bill to be entitled An act relating to mechanics' liens; amending s. 713.02(5), Florida Statutes; exempting improvements of \$2500 or less from certain provisions of the mechanics' lien law; amending s. 713.135, Florida Statutes; providing that the authority issuing a building permit shall furnish the applicant a statement provided by the Division of Consumer Services relating to the applicability of the mechanics' lien law; providing a form to be signed; requiring the issuing authority to inform certain applicants of their responsibility to deliver such statement to the person whose property is subject to attachment; providing that no issuing authority shall be held civilly liable for the failure of the person whose property is subject to attachment to receive or to be delivered such statement; providing an effective date.

—was read the first time by title and SB 1142 was laid on the table.

On motion by Senator Hair, by two-thirds vote CS for SB 1142 was read the second time by title.

Senator Hair moved the following amendment which was adopted:

Amendment 1—On page 4, line 7, strike "July 1, 1978" and insert: October 1, 1978

On motion by Senator Hair, by two-thirds vote CS for SB 1142 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Glisson	Myers	Thomas, Pat
Barron	Gordon	Peterson	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Sayler	Ware
Childers, W. D.	Holloway	Scarborough	Williamson
Dunn	Johnston	Skinner	Wilson
Firestone	MacKay	Spicola	Winn
Gallen	McClain	Thomas, Jon	Zinkil

Nays—1

Scott

HB 1645—A bill to be entitled An act relating to usury; amending s. 687.03(2)(a), Florida Statutes, clarifying certain provisions granting exemptions to loans made pursuant to a commitment to guarantee by the Veterans Administration from provisions relating to usurious contracts and unlawful interest rates; deleting the requirement that for certain loans to be exempt they must be made pursuant to the sale of or binding commitment to sell such loans to certain federal instrumentalities; specifying when commitments shall not be exempt; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was moved by Senator MacKay and adopted:

Amendment 1—On page 2, strike all of said lines.

Senator Ware moved the following amendment which was adopted:

Amendment 2—On page 1 in title, strike lines 12 and 13 and insert: federal instrumentalities; providing an

On motion by Senator MacKay, by two-thirds vote HB 1645 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gallen	Myers	Thomas, Jon
Barron	Glisson	Poston	Thomas, Pat
Castor	Graham	Renick	Tobiasen
Chamberlin	Hair	Saylor	Trask
Childers, Don	Holloway	Scarborough	Vogt
Childers, W. D.	Johnston	Scott	Ware
Dunn	MacKay	Skinner	Williamson
Firestone	McClain	Spicola	Zinkil

Nays—None

Vote after roll call:

Yea—Winn

SB 461—A bill to be entitled An act relating to the tree, *Melaleuca quinquenervia*, popularly known as Cajeput or Punk Tree; prohibiting the sale or transportation over public highways of such species; providing penalties; providing an effective date.

—was read the second time by title.

The Committee on Agriculture offered the following amendment which was moved by Senator Trask and failed:

Amendment 1—On page 1, line 27, strike "this state" and insert: Broward and Dade Counties

The Committee on Agriculture offered the following amendment which was moved by Senator Trask and adopted:

Amendment 2—On page 1, line 27, strike the period and insert: for the purpose of replanting.

The Committee on Agriculture offered the following amendment which was moved by Senator Scott and failed:

Amendment 3—On page 1, strike line 31 and insert: Section 2. This act shall not prohibit the sale or transportation on or before July 1, 1979, of any plant of the species *Melaleuca quinquenervia* which is, on the effective date of this act, held as stock for sale by a nursery.

Section 3. This act shall take effect July 1, 1978.

The Committee on Agriculture offered the following amendment which was moved by Senator Trask and adopted:

Amendment 4—On page 11 in title, line 6, after the word "species" strike the semicolon and insert: for the purpose of replanting;

Senator Myers presiding

On motion by Senator Jon Thomas, by two-thirds vote SB 461 as amended was read the third time by title and failed to pass. The vote was:

Yeas—11

Mr. President	Gordon	Spicola	Winn
Childers, Don	Johnston	Thomas, Jon	Zinkil
Dunn	Scott	Trask	

Nays—23

Barron	Glisson	Peterson	Tobiasen
Castor	Graham	Poston	Vogt
Chamberlin	Henderson	Renick	Ware
Childers, W. D.	Holloway	Saylor	Williamson
Firestone	MacKay	Scarborough	Wilson
Gallen	McClain	Skinner	

The President presiding

HB 1781—A bill to be entitled An act relating to state, county, or municipal contracts; amending s. 446.101(3), Florida Statutes, exempting from certain contract clauses any contracts for the construction or maintenance of bridges; providing an effective date.

—was read the second time by title. On motion by Senator Plante, by two-thirds vote HB 1781 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Barron	Gordon	Peterson	Tobiasen
Castor	Graham	Plante	Trask
Childers, Don	Henderson	Poston	Vogt
Childers, W. D.	Holloway	Saylor	Ware
Dunn	Johnston	Scott	Winn
Firestone	MacKay	Skinner	
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Pat	

Nays—2

Scarborough Zinkil

CS for HB 300—A bill to be entitled An act relating to the beverage law; adding subsections to s. 561.01, Florida Statutes, providing definitions; amending s. 561.20(2)(a), Florida Statutes, and adding paragraph (f) thereto, removing certain statutory language relating to the exemption on seating capacity and minimum size requirements granted to certain restaurants which serve alcoholic beverages which are part of publicly-owned or leased airports; exempting certain alcoholic beverage vendors operating in airports publicly owned or leased by a county or municipality from the quota alcoholic beverage license limitations; providing for the issuance of "special airport licenses"; providing an effective date.

—was read the second time by title.

Senator Henderson moved the following amendment which failed:

Amendment 1—On page 5 between lines 5 and 6, insert a new section 3, and renumber subsequent sections.

Section 3. Section 564.05 is amended to read:

564.05 Limitation of size of individual wine containers; penalty.—It is unlawful for any person to sell within this state any wine in individual containers holding more than ~~4~~ *gallon* *four* *liters* of such wine. Provided, that qualified distributors and manufacturers may sell to other qualified distributors or manufacturers such wine in any size containers. Any person convicted of a violation of this section shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

On motion by Senator Barron, by two-thirds vote CS for HB 300 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—24

Barron	Gordon	McClain	Skinner
Castor	Graham	Myers	Thomas, Jon
Childers, W. D.	Hair	Renick	Tobiasen
Dunn	Henderson	Saylor	Vogt
Firestone	Holloway	Scarborough	Wilson
Gallen	Johnston	Scott	Winn

Nays—6

Childers, Don MacKay Trask Zinkil
Glisson Poston

Votes after roll call:

Yeas—Spicola, Peterson

SB 917—A bill to be entitled An act relating to the Division of Forestry; creating s. 589.37, Florida Statutes; creating a Maintenance Trust Fund to be administered by the division for the purpose of maintaining employee housing and district offices; providing for the deposit of rents collected by the division therein; providing a limitation on the fund; providing an effective date.

—was read the second time by title.

The Committee on Appropriations offered the following amendment which was moved by Senator Tobiassen and adopted:

Amendment 1—On page 1, lines 13 - 31, strike all after enacting clause and insert: Section 1. Sections 216.263, 216.264, and 216.265, Florida Statutes, are created to read:

216.263 Short title and policy.—

(1) **SHORT TITLE.**—The provisions of ss. 216.263-216.265 shall be known and may be cited as the "State-Owned Housing Act" and shall serve to establish the state policy, and govern the procedures, for the rental of state-owned housing.

(2) **POLICY.**—It shall be the policy of the state to rent dwelling units to employees primarily in those cases where there is an established necessity for the employee's residency in the dwelling unit and where there is a clear benefit to the state for such residency. In cases where occupancy of existing dwelling units is not essential for the benefit of the state, rental of such units may continue in accordance with the procedures set forth herein. It shall be the policy of the state that no dwelling unit which is deemed to be substandard shall be rented. Furthermore, it shall be the policy of the state that no person renting a state-owned dwelling unit pursuant to the provisions of this act shall sublease to any other person any portion of the dwelling unit being rented from the state. State-owned dwelling units may be rented to persons who are not employees in exceptional circumstances or where the residence of the person in the dwelling unit is justifiable, provided that rental to such a nonemployee shall be for no less than the fair market rental value of the dwelling unit, and all utility charges shall be paid by said person, except that the spouse of a deceased employee who was renting such a dwelling unit may, for a period of 90 days after the death of the employee, continue to reside in the dwelling unit at the same rental rate which was applicable to the employee at the time of death. With respect to such rentals to nonemployees, all other provisions of this section shall apply as if the dwelling unit were occupied by an employee. It shall also be the policy of the state to provide uniform statewide policies and procedures for the determination of allocation of dwelling units, rental values, utility charges, maintenance, and standards of habitability. The provisions of this act shall not apply to housing rentals to resident students of the State University System who reside in campus dormitories, or to student counselors residing in campus dormitories who are assigned to coordinate student life activities and who are compensated entirely from auxiliary funding.

216.264 Definitions.—As used in ss. 216.263-216.265, the following words and phrases shall have the following meanings unless the context requires otherwise:

(1) "State employee" or "employee" means a state officer or a state employee.

(2) "Residence structure" means a single family house, an apartment, duplex apartment, triplex apartment, room, or mobile home which is offered by the state to an employee for rental as living quarters.

(3) "Dwelling unit" means a single family house, an apartment, duplex apartment, triplex apartment, room, mobile home, or mobile home site, and its fixtures, appurtenances, and curtilage, if any, which is offered by the state to an employee for rental as living quarters.

(4) "Fair market rental value" means, with respect to state-owned dwelling units, the just and reasonable rent for a dwell-

ing unit such as would be paid by a willing lessee to a willing lessor in an arm's length, free market transaction in cognizance of the type, the utility, the location, and the condition of the dwelling unit.

(5) "Division" means the Division of Personnel of the Department of Administration.

216.265 Rental of state-owned housing.—

(1) INVENTORY AND DISPOSITION.—

(a) The division shall establish and maintain an inventory and uniform system of numbering and accounting for all current and future dwelling units.

(b) Each agency head shall ensure that the inventory of dwelling units for the agency is physically checked against actual units available and that appropriate corrections to the inventory are reported to the division.

(c) Each agency head shall indicate to the division which dwelling units are to be designated "essential," "desirable," or "optional" in accordance with the criteria contained herein. The division may verify by actual on-site inspection the appropriateness of each such designation.

(d) Each agency head shall report to the division those dwelling units which the agency is, for economic, physical, or other reasons, unable to maintain in accordance with the provisions of subsection (3). Such dwelling units shall be deemed to be substandard and shall not be rented to employees or non-employees.

(e) Each agency head shall determine the use or disposition to be made of units not to be used for employee or nonemployee residency and shall report such disposition to the division.

(2) RENTAL RATES.—

(a) The county property appraisers shall determine biennially the fair market rental value for each dwelling unit in the division's inventory, using generally accepted principles and techniques for the appraisal of the rental value of real property. The fair market monthly rental value of a dwelling unit shall be reported annually to the employee residing in the dwelling unit.

(b) The amount of actual rent which shall be charged for the rental of state-owned dwelling units shall be determined as follows:

1. **Essential.**—Residence in a dwelling unit is deemed to be essential to the best interests of the state:

a. If an employee is required, as a condition of employment, to reside in a state-owned dwelling unit;

b. If additional duties assigned the position, as outlined in the position description form on file with the division, or in official agency correspondence if no position description form is applicable to the employee, encompass security duties on state property during the employee's off-duty hours; and

c. If it has been determined by the agency and verified by the division that the particular dwelling unit is one in which the residency by an employee is essential for the benefit, protection, or advantage of the state.

The actual rent charged for such a dwelling unit shall be equal to 30 percent of the fair market rental value for the dwelling unit, provided that the amount of actual rent to be paid shall not exceed 10 percent of the employee's gross salary.

2. **Desirable.**—If it is to the advantage of the state, but not essential to the best interest of the state, to have an employee reside in a state-owned dwelling unit, the actual rent charged shall be equal to 55 percent of the fair market rental value for the dwelling unit, provided that the amount of actual rent to be paid shall not exceed 15 percent of the employee's gross salary.

3. **Optional.**—Where residence in the dwelling unit provides no specific advantage or benefit to the state, the actual rent charged shall be equal to 90 percent of the fair market rental value for the dwelling unit.

(3) MAINTENANCE.—

(a) The agency shall at all times during the residency of the employee:

1.a. Comply with the requirements of applicable building, housing, and health codes; or

b. Where there are no applicable building, housing, or health codes, maintain the roofs, windows, screens, doors, floors, steps, porches, exterior walls, foundations, and all other structural components in good repair and capable of resisting normal forces and loads, and maintain the plumbing in reasonable working condition; however, the agency shall not be required to maintain a mobile home or other structure owned by the employee.

2. Make reasonable provisions for:

a. The extermination of pests and rodents in the dwelling unit;

b. Locks and keys;

c. The clean and safe condition of common areas; and

d. Heating equipment, running water, and water heating equipment.

(b) The agency may provide interior maintenance, or materials for interior maintenance, as required.

(c) The agency shall not be responsible to the employee under this subsection for conditions created or caused by the negligent or wrongful act or omission of the employee, a member of his family, or other person on the dwelling unit with his consent.

(d) The employee, at all times during the residency, shall:

1. Comply with all obligations imposed upon residents by applicable provisions of building, housing, and health codes;

2. Keep that part of the dwelling unit on which he resides and which he uses clean and sanitary;

3. Remove from the residence structure all garbage in a clean and sanitary manner;

4. Keep all plumbing fixtures in the residence structure used by the resident clean and sanitary, and shall perform such minor maintenance as may be required to keep the fixtures operating in good repair;

5. Use and operate in a reasonable manner all electrical, plumbing, sanitary, heating, ventilating, airconditioning, and other facilities and appliances, including elevators;

6. Not destroy, deface, damage, impair, or remove any part of the dwelling unit belonging to the agency, or permit any other person to do so; and

7. Conduct himself, and require other persons on the dwelling unit with his consent to conduct themselves, in a manner that does not unreasonably disturb others in the area or constitute a breach of the peace.

(e) The employee shall not unreasonably withhold consent to the agency to enter the dwelling unit from time to time in order to inspect the premises, make necessary or agreed upon repairs, decorations, alterations, or improvements, supply agreed upon services, or exhibit the dwelling unit to prospective or actual residents, workmen, or contractors.

(f) The agency may enter the dwelling unit at any time for the protection or preservation of the premises. The agency may enter the dwelling unit when necessary for the purposes set forth in paragraph (e) under any of the following circumstances:

1. With the consent of the resident;

2. In case of emergency; or

3. When the resident unreasonably withholds consent, or is absent from the dwelling unit for such period of time as is established by division rule.

(g) The agency shall not abuse the right of access or use it to harass the resident.

(h) Any right or duty declared in this subsection is enforceable by civil action and the aggrieved party may seek injunctive relief and may recover any damages caused by noncompliance with the provisions of this subsection.

(4) FURNITURE AND EQUIPMENT IN RESIDENCE STRUCTURES OTHER THAN ROOMS.—

(a) The following appliances may be provided in a single family dwelling, apartment, duplex apartment, triplex apartment, or mobile home:

1. Range/oven; and

2. Refrigerator.

(b) Agencies shall not purchase any additional furniture to furnish residence structures, or repair or replace any existing furniture in any residence structure, after July 1, 1979; however, state-owned furniture may be repaired at the option and expense of the resident.

(c) Existing furniture and appliances shall be inventoried, and all unused furniture and appliances shall be removed from residence structures and disposed of in accordance with the provisions of s. 273.055.

(d) In no event shall additional linens, towels, kitchen utensils, dishes, china, or flatware, or similar household items be purchased by the agency for the residence structure.

(5) FURNITURE AND EQUIPMENT IN ROOMS.—Appropriate appliances and furniture may be provided for rooms by an agency with the approval of the division.

(6) UTILITIES.—

(a) Where feasible, all dwelling units shall be metered for the resident employee's personal usage of electricity and gas. It is the intent of this provision that metering be provided in all cases except where the installation of meters would require such major alteration to the residence structure involved that the installation would be excessively cost inefficient.

(b) Where meters are installed, the resident of the dwelling unit shall pay for the actual amount of electricity and gas consumed for personal usage.

(c) Where it is not feasible to install electric or gas meters for the dwelling unit, the resident shall be charged the estimated average value for personal usage of such service as determined by the agency and approved by the division.

(d) For those units which are already metered for water, the resident shall pay for the actual amount of water used. There shall be no special program to install additional water meters for existing dwelling units. Employees residing at dwelling units without water meters shall be charged the estimated average value for the service, where applicable, as determined by the agency and approved by the division. Newly constructed dwelling units shall be metered for water where appropriate.

(e) In the case of room rentals, there shall be no separate charge for utilities.

(f) The division may, in its discretion, grant free personal usage of electricity and gas as a perquisite pursuant to s. 216.262 for employees residing in dwelling units designated "essential" under the provisions of subsection (2)(b)1. upon the request of the employee's employing agency.

(7) RENTS AND FEES.—

(a) All rents and fees collected from a resident in a state-owned dwelling unit shall accrue to the agency which is accountable for and maintains the dwelling unit. Such rents and fees shall be segregated from other agency funds and shall be utilized exclusively for the purpose of repair and maintenance of the agency's dwelling units and for the purpose of the purchase, repair, and maintenance of fixtures of such units in accordance with the provisions of subsections (3), (4), and (5), and for the installation of electric and gas meters as provided in subsection (6)(a). One-half of any rents and fees which have not been used as specified herein as of the end of any fiscal year shall revert to the operating capital outlay funds for the agencies involved. If the segregation and use of funds as required by this paragraph is in conflict with the terms of any agreement between the state, or any agency of the state, and the Federal Government regarding the use of land and the structures thereon, and regarding the use of any proceeds derived from such land and structures, the provisions of this paragraph shall be carried out to the fullest extent possible consistent with the terms of such agreement.

(b) Each agency shall, by September 30 of each year, make an itemized report of all receipts and expenditures made under this section for the preceding year. Copies of this report shall be presented to the division, the legislative appropriations committees, and the Auditor General.

(8) RULES.—The division may promulgate such rules as are necessary for the effective and efficient implementation of the provisions of this act, including rules establishing the process to be used for eviction and possession with respect to dwelling units on the grounds of nonpayment of rent or utilities, termination, or violation of any of the provisions of this act.

Section 2. The Division of Personnel of the Department of Administration shall take such actions as may be necessary to insure that the policies and procedures specified in this act are fully implemented on July 1, 1979.

(1) The installation of utility meters at existing dwelling units shall be completed no later than July 1, 1979.

(2) Rental charges for dwelling units shall remain at the June 30, 1978, rate until July 1, 1979. At such time, the rental rate provisions of s. 216.265(2), Florida Statutes, hereinafter referred to as "required rental rate," shall be fully implemented; provided that, if the required rental rate exceeds the rental rate which is being paid for the dwelling unit at the time, then:

(a) For the first year after such implementation, the rental rate shall be equal to the preimplementation rate, plus 25 percent of the difference between the preimplementation rate and the required rental rate.

(b) For the second year after such implementation, the rental rate shall be equal to the preimplementation rate, plus 50 percent of the difference between the preimplementation rate and the required rental rate.

(c) For the third year after such implementation, the rental rate shall be equal to the preimplementation rate, plus 75 percent of the difference between the preimplementation rate and the required rental rate.

(d) For the fourth year and thereafter, the rental rate shall be equal to 100 percent of the required rental rate.

However, if the required rental rate is less than the preimplementation rental rate, the rental charged at the time of implementation shall be lowered to equal 100 percent of the required rental rate.

Section 3. The Division of Personnel of the Department of Administration, on or before January 1, 1979, shall report to the Legislature regarding the implementation of the policies and procedures established by this act. Such report shall include, but not be limited to, an inventory of all dwelling units rented by the state to employees and to other persons, an itemization of the number of dwelling units deemed "essential," "desirable," and "optional" pursuant to s. 216.265, an itemization of any dwelling units eliminated from the inventory, and an itemization of those dwelling units for which separate metering for electricity and gas has been established, and of those dwelling units where such metering is deemed unfeasible. Additionally, the division shall coordinate the identification of state-owned dwelling units to be appraised for fair market rental value with each county property appraiser and shall report on the plan developed for such appraisals.

Section 4. This act shall take effect July 1, 1979, except that the Division of Personnel of the Department of Administration may immediately take such action as may be necessary for this act to be properly implemented on such date.

The Committee on Governmental Operations offered the following amendment which was moved by Senator Tobiassen and failed:

Amendment 2—On page 1, line 20, strike the words "and for" after the word "division"; and strike all of line 21 except the period (.)

Senator Tobiassen moved the following amendments which were adopted:

Amendment 3—On page 10, lines 25-28, strike "One-half of any rents and fees which have not been used as specified herein as of the end of any fiscal year shall revert to the operating capital outlay funds for the agencies involved." and insert after the period (.) on line 28: During each fiscal year, all rents and fees collected in excess of \$100,000 shall revert to the General Revenue Fund, and, as of the end of each fiscal year one-half of any rents and fees which have not been used as specified herein shall revert to the General Revenue Fund.

Amendment 4—On page 13, line 11, after the period insert: This act shall be repealed automatically and shall become null and void on June 30, 1984.

The Committee on Appropriations offered the following amendment which was moved by Senator Tobiassen and adopted:

Amendment 5—On page 1 in title, strike all of line 1 through and including line 9 and insert: A bill to be entitled An act relating to the rental of state-owned housing; creating ss. 216.263, 216.264, and 216.265, Florida Statutes, the "State-Owned Housing Act"; providing a statement of policy with respect to the rental of state-owned housing to state officers and employees; providing definitions; providing for the inventory and disposition of dwelling units; providing for the appraisal of dwelling units and establishment of the rental rates for such units according to certain categories of residence; providing for the maintenance of dwelling units; specifying policies with respect to furniture and appliances in dwelling units; providing for utility metering and for the payment of utility charges; specifying the disposition of rents and fees collected by agencies and requiring periodic itemized reports; authorizing the Division of Personnel of the Department of Administration to promulgate rules to implement the act; specifying a timetable for the implementation of the act and requiring the Division of Personnel to report to the Legislature regarding such implementation; providing an effective date.

The Committee on Governmental Operations offered the following amendment which was moved by Senator Tobiassen and failed:

Amendment 6—On page 1 in title, line 6, strike "and district offices"

On motion by Senator Tobiassen, by two-thirds vote SB 917 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Glisson	Peterson	Trask
Barron	Gordon	Poston	Vogt
Castor	Graham	Renick	Ware
Chamberlin	Hair	Scarborough	Williamson
Childers, Don	Holloway	Scott	Wilson
Childers, W. D.	Johnston	Skinner	Winn
Dunn	MacKay	Spicola	Zinkil
Firestone	McClain	Thomas, Pat	
Gallen	Myers	Tobiassen	

Nays—None

SB 1252—A bill to be entitled An act relating to nonpublic postsecondary institutions; amending s. 246.213(2), Florida Statutes; prescribing minimum educational standards for the licensing of such institutions; amending s. 246.215, Florida Statutes; prohibiting the continued operation of, or the establishment of, any independent postsecondary vocational, technical, trade, or business school unless such school submits a notarized application to, and obtains a license from the board; prohibiting an employee or agent of such school from soliciting for remuneration any prospective student unless the school is licensed by the board and such employee or agent has submitted a notarized application to, and obtained from the board an agent's license; amending s. 246.219(1), (2), Florida Statutes; increasing the license fees; amending s. 246.220, Florida Statutes; providing that under specified circumstances surety bonds or insurance may be required of any school licensed by the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools; providing an effective date.

—was read the second time by title.

Senator Tobiassen moved the following amendments which were adopted:

Amendment 1—On page 3, strike all of lines 10 through 21 and renumber subsequent sections.

Amendment 2—On page 1 in title, lines 18 and 19, strike "amending s. 246.219(1), (2), Florida Statutes; increasing the license fees;"

On motion by Senator Tobiasen, by two-thirds vote SB 1252 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—28

Mr. President	Glisson	Peterson	Tobiasen
Castor	Gordon	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Holloway	Sayler	Williamson
Childers, W. D.	Johnston	Scarborough	Wilson
Dunn	MacKay	Spicola	Winn
Firestone	Myers	Thomas, Pat	Zinkil

Nays—3

McClain Plante Ware

Votes after roll call:

Yea—Skinner
Yea to Nay—Wilson

On motion by Senator Plante, the Senate reconsidered the vote by which HB 183 passed this day.

On motion by Senator Plante, further consideration of HB 183 was deferred.

On motion by Senator W. D. Childers, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 500.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 954 and SB 417.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1-A to House amendment 1 and receded from House Amendments 2 and 3 and passed SB 14 as amended.

Allen Morris, Clerk

The bill contained in the above message was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed as amended HB 2079 and HB 170.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator W. D. Childers—

SB 567—A bill to be entitled An act relating to drivers' licenses; amending s. 322.27(1)(b), Florida Statutes; adding s. 322.27(2)(h), Florida Statutes; providing circumstances under which the Department of Highway Safety and Motor Vehicles may suspend a driver's license without preliminary hearing;

providing circumstances for the deduction of points from the driver history record of certain persons; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Senator W. D. Childers moved that the Senate concur in the House amendments.

Senator MacKay moved as a substitute motion that consideration of SB 567 be deferred. The motion failed and the vote was:

Yeas—16

Chamberlin	Graham	Myers	Thomas, Jon
Childers, Don	Johnston	Plante	Vogt
Dunn	Lewis	Sayler	Ware
Gordon	MacKay	Spicola	Wilson

Nays—18

Castor	Henderson	Scarborough	Trask
Childers, W. D.	Holloway	Scott	Winn
Firestone	McClain	Skinner	Zinkil
Gallen	Poston	Thomas, Pat	
Glisson	Renick	Tobiasen	

Senator Gallen presiding

The President presiding

Senator Dunn moved as a substitute motion that consideration of SB 567 be deferred. The motion was adopted. The vote was:

Yeas—20

Castor	Graham	MacKay	Thomas, Jon
Chamberlin	Hair	Myers	Vogt
Childers, Don	Henderson	Plante	Ware
Dunn	Johnston	Sayler	Williamson
Gordon	Lewis	Spicola	Wilson

Nays—16

Childers, W. D.	Holloway	Scarborough	Tobiasen
Firestone	McClain	Scott	Trask
Gallen	Poston	Skinner	Winn
Glisson	Renick	Thomas, Pat	Zinkil

On motion by Senator W. D. Childers, the rules were waived and time of adjournment was extended until 5:30 p.m.

Senator Scott moved that the House be requested to return SB 109. The motion failed. The vote was:

Yeas—16

Barron	Gordon	Poston	Tobiasen
Dunn	Holloway	Scott	Williamson
Firestone	McClain	Spicola	Wilson
Glisson	Plante	Thomas, Jon	Winn

Nays—18

Castor	Graham	MacKay	Trask
Chamberlin	Hair	Myers	Vogt
Childers, Don	Henderson	Peterson	Zinkil
Childers, W. D.	Johnston	Scarborough	
Gallen	Lewis	Skinner	

Vote after roll call:

Yea—Pat Thomas

Senator Plante presiding

On motion by Senator MacKay, the Senate reconsidered the vote by which—

SB 368—A bill to be entitled An act relating to the construction industry; creating s. 468.1045, Florida Statutes, pro-

viding that surplus funds of the Florida Construction Industry Licensing Board be distributed to certain universities and community colleges for industry-related research and continuing education; providing an effective date.

—as amended passed this day.

On motion by Senator MacKay, the Senate reconsidered the vote by which SB 368 was read the third time.

On motions by Senator MacKay, the Senate reconsidered the votes by which Amendments 10 and 11 were adopted.

By permission, Amendments 10 and 11 were withdrawn.

Senator MacKay moved the following amendment which was adopted:

Amendment 12—On page 1 in title, line 8, after the semicolon insert: repealing s. 468.109(6), Florida Statutes;

On motion by Senator MacKay, by two-thirds vote SB 368 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Barron	Gordon	Myers	Thomas, Pat
Castor	Graham	Plante	Tobiasen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Sayler	Ware
Dunn	Johnston	Scott	Williamson
Firestone	Lewis	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil

Nays—None

The President presiding

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives again has refused to concur in Senate Amendments 1 and 2 to CS for HB's 1140 & 2093 and acceded to the request of the Senate for a conference committee. The Speaker has appointed Representatives Hazouri, Brown, Fontana, Jones and James as the conferees on the part of the House.

By the Committees on Appropriations and Retirement, Personnel & Collective Bargaining and Representative Hazouri and others—

CS for HB's 1140 and 2093—A bill to be entitled An act relating to retirement; amending s. 121.021(15), (24), and (29)(b), Florida Statutes, redefining the terms "special risk member," "average final compensation," and "normal retirement date" for the purposes of the Florida Retirement System; creating s. 121.022, Florida Statutes, providing legislative intent and providing for criteria, designation and removal of special risk members; amending s. 121.052(4)(a) and (b), Florida Statutes, relating to employers' contributions for members of the Elected State Officers' Class of the system; increasing certain employers' contributions; amending s. 121.071(1), (2), (3)(b), and (5), Florida Statutes, requiring special risk members or employers to contribute 4.52 percent of gross compensation each pay period; increasing employers' contributions; providing certain refunds; providing procedure for payment of contributions; amending s. 121.091(1)(a), Florida Statutes, and adding subsection (11) to said section; providing procedures for the determination of benefit amounts with respect to certain members of the system; providing that members of the system who are school district or community college employees with 30 years of creditable service may retire as of August 1, 1978; creating s. 238.072, Florida Statutes; providing for retirement benefits for all state and county cooperative extension personnel who are presently under chapter 238, Flor-

ida Statutes, who may retire at age 55 upon completion of 30 years of creditable service; providing an effective date.

(Amendments attached to original bill)

Allen Morris, Clerk

The President appointed Senators Johnston, Sayler, Scarborough, McClain and Lewis as conferees on CS for HB's 1140 and 2093 and the action of the Senate was certified to the House.

Senator Tobiasen moved that the Senate reconsider the vote by which SB 787 failed. The motion failed.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 1, 2, 3 and 4 and passed SB 426.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 433.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed—

SB 152	SB 454	SB 729
SB 1276		

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 1 and 2 and passed SB 311.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments 1 and 3 and passed SB 398, as amended.

Allen Morris, Clerk

The bill contained in the above message was ordered engrossed and then enrolled.

SPECIAL ORDER, continued

On motion by Senator Sayler, the Senate reverted to—

HB 359—A bill to be entitled An act relating to sewage disposal facilities; adding paragraph (c) to s. 403.086(1), Florida Statutes, restricting the disposal of wastes into certain counties by new facilities for sanitary sewage disposal; providing an effective date.

—which was read the second time by title.

The Committee on Economic, Community and Consumer Affairs offered the following amendment which was moved by Senator Sayler and adopted:

Amendment 1—On page 1, lines 18 and 19, strike after the word "injection": "into Pinellas, Brevard, Hillsborough, Manatee, or Sarasota Counties"

Senator Sayler moved the following amendment which was adopted:

Amendment 2—On page 1 in title, line 5, strike "into certain counties"

Senator Spicola moved the following amendment which was adopted:

Amendment 3—On page 1, strike lines 20-24 and insert: for secondary waste treatment and, in addition thereto, advanced waste treatment deemed necessary by the Department of Environmental Regulation to protect adequately the beneficial use of the receiving waters.

On motion by Senator Sayler, by two-thirds vote HB 359 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Hair	Poston	Trask
Castor	Henderson	Renick	Vogt
Chamberlin	Holloway	Sayler	Ware
Childers, Don	Johnston	Scarborough	Williamson
Childers, W. D.	MacKay	Scott	Wilson
Firestone	McClain	Skinner	Winn
Gallen	Myers	Spicola	
Glisson	Peterson	Thomas, Pat	
Graham	Plante	Tobiassen	

Nays—2

Thomas, Jon Zinkil

On motion by Senator Myers, the Senate resumed—

HB 261—A bill to be entitled An act relating to mopeds; amending s. 316.2065(15), Florida Statutes, 1977, removing a prohibition upon the operation of mopeds on bicycle paths; requiring mopeds to conform to certain federal safety standards; adding subsection (5) to s. 320.02, Florida Statutes, 1977, providing for registration and licensing of mopeds; amending the introductory paragraph of s. 320.08, Florida Statutes, 1977, and adding paragraph (1)(c), providing a license tax; creating s. 320.0803, Florida Statutes, providing for the issuance of moped tags; amending s. 322.01(1) and (2), Florida Statutes, 1976 Supplement, requiring moped operators to obtain a driver's license; providing an effective date.

Senators Poston and Renick offered the following amendment, which was moved by Senator Poston and adopted:

Amendment 4—On page 4, between lines 2 and 3, insert: Section 6. Section 316.2075, Florida Statutes, is amended to read:

316.2075 Driving upon bicycle trails and footpaths.—No person shall operate any motor vehicle *or moped* upon a bicycle trail or footpath established under s. 335.065, except upon a permanent or duly authorized temporary driveway.

Renumber subsequent section.

Senator Poston moved the following amendment which was adopted:

Amendment 5—On page 1, in title, line 16, following the semicolon, insert: amending s. 316.2075, Florida Statutes; prohibiting driving mopeds on bicycle trails;

Senator Myers moved that the rules be waived and HB 261 as amended be read the third time by title. The motion failed.

On motion by Senator Jon Thomas, the Senate resumed—

SB 588—A bill to be entitled An act relating to the state attorney; amending s. 27.25(1), Florida Statutes, authorizing the state attorney to appoint persons employed by a county or municipality as special investigators on other than a full-time basis; amending s. 27.255, Florida Statutes, providing such special investigators with powers provided full-time state attorney investigators; requiring such investigators to meet certain standards, providing them with certain rights, protections and immunities, and requiring them to post a bond; amending s. 27.34(1), Florida Statutes, authorizing counties and municipalities to provide such investigators to the state attorney; providing an effective date.

Senator Plante moved the following amendments which were adopted by two-thirds vote:

Amendment 7—On page 4, between lines 4 and 5, insert: Section 4. Each state attorney shall, on or before January 1 of each year, submit a report to the President of the Senate and Speaker of the House, which report shall specify the number of municipal police officers and sheriff's deputies which have been employed by him during the preceding fiscal year pursuant to s. 27.25, Florida Statutes, and an estimate of the number of such officers and deputies which will be employed by him during the current fiscal year.

(Renumber subsequent section.)

Amendment 8—On page 1 in the title, line 16, after the semicolon insert: requiring state attorneys to submit a report on the number of such special investigators so employed;

Senator Graham moved that the Senate reconsider the vote by which Amendment 4 failed. The motion failed.

SB 588 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Ware
Childers, Don	Holloway	Scarborough	Williamson
Childers, W. D.	Johnston	Scott	Winn
Dunn	MacKay	Skinner	Zinkil
Firestone	McClain	Spicola	
Glisson	Myers	Thomas, Jon	
Gordon	Peterson	Thomas, Pat	

Nays—1

Wilson

SB 532—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.10(1)(e), Florida Statutes; exempting the Saint Vincent de Paul Society and the Okaloosa County Council on Aging from certain motor vehicle license fee requirements; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote SB 532 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Sayler	Ware
Dunn	Johnston	Skinner	Wilson
Firestone	MacKay	Spicola	Winn
Glisson	Myers	Thomas, Jon	Zinkil
Gordon	Peterson	Thomas, Pat	

Nays—None

SB 653—A bill to be entitled An act relating to parking for the physically disabled; amending s. 316.1955(6)(b), Florida Statutes; authorizing persons chauffeuring certain disabled persons to park on the public streets or highways, or in any metered parking space without penalty; amending s. 316.1956(1), (3), Florida Statutes; authorizing certain persons to park in certain parking spaces designated for the exclusive use of physically disabled persons; amending s. 316.1964, Florida Statutes; replacing identification stickers with parking cards to be displayed on the vehicle used in transporting or used by a disabled person; prescribing qualifications for issuance of such cards and certificates; allowing transfer of the parking card from motor vehicle to motor vehicle; prohibiting certain entities from exacting a fee from or imposing a penalty upon certain persons for parking in certain spaces; prohibiting the fraudulent obtaining or unlawful use of a parking card, or the use of a replica thereof with intent to deceive; providing a penalty; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendments which were moved by Senator Myers and failed:

Amendment 1—On page 1, line 29, strike everything after the enacting clause and insert: Section 1. Subsections (1) and (2) of section 316.1964, Florida Statutes, are amended to read:

316.1964 Disabled persons or designated agents, exemption from payment of parking fees; issuance of identification stickers.—

(1) No state agency or county, city or town, or any agency thereof, shall exact any fee for parking on the public streets or highways or in any metered parking space from any person who:

(a) Is currently certified by one licensed physician under chapter 458 or chapter 459, the Social Security Administration, or the Veterans Administration as a severely physically disabled individual with permanent mobility problems which substantially impair his or her ability to ambulate; or

(b) Is the designated agent of a severely physically disabled individual who, in addition to being so certified as having permanent mobility problems which impair his or her ability to ambulate, is determined by the certifying physician or administration to be disabled in such a manner that at no time should the individual be left alone in public, provided that a written statement has been executed by the certifying physician or administration verifying same and specifying by name the designated agent of such individual; and

(c)(b) Is licensed to operate a motor vehicle in this state with license plates imprinted with the designation HP (handicapped person), DV (disabled veteran who displays the proper sticker as provided in s. 316.1964(2)), or the internationally accepted wheelchair symbol or, in the case of a designated agent, is licensed to operate a motor vehicle and is transporting and accompanying the disabled person for whom he or she is the designated agent; and

(d)(e) Displays the proper sticker as provided in subsection (2).

(2) Upon the application of any such disabled person or the designated agent thereof, the tax collector of the county in which the disabled person or the designated agent thereof applies for his or her automobile license plate shall issue to such person a certificate showing that the disabled person is entitled to the immunities provided in this section and a sticker reflecting the disability, which sticker shall be displayed upon the lower left-hand portion of the rear window of the motor vehicle of such disabled person or the designated agent thereof.

Section 2. Subsections (1) and (4) and paragraph (b) of subsection (6) of section 316.1955, Florida Statutes, are amended to read:

316.1955 Parking spaces for certain disabled persons.—

(1) Each state agency and political subdivision having jurisdiction over street parking or publicly owned and operated parking facilities shall provide a minimum number of specially designed and marked motor vehicle parking spaces for the exclusive use of those severely physically disabled individuals with permanent mobility problems which substantially impair their ability to ambulate, as certified in s. 316.1964, the designated agents thereof while transporting and accompanying said persons, and those persons eligible under ss. 320.0842, 320.084, and 320.0843 for license plates bearing the designation HP, DV (disabled veteran who displays the proper sticker as provided in s. 316.1964(2)), or the internationally accepted wheelchair symbol. Each (such individual or person) shall park in the appropriately marked parking space, except that any designated agent as certified in s. 316.1964 without such a specially imprinted license plate may park in any available specially marked parking space while transporting and accompanying the disabled person for whom he or she is the designated agent.

(4) Each such parking space shall be outlined in the color blue with a color of paint and posted with a sign of a color and design approved by the Department of Transportation, with the symbol HP or the internationally accepted wheelchair symbol (on the sign).

(6) It is a violation of this act for any person other than those authorized in this section or in s. 316.1964, s. 320.0842, s.

320.084, or s. 320.0843 to stop, stand, or park a motor vehicle (within) any such specially designated and marked parking spaces provided in accordance with this act. Whenever a law enforcement officer finds a vehicle violating these provisions, that officer shall:

(b) Charge the operator or other person in charge of the unauthorized motor vehicle with a noncriminal traffic infraction, punishable as provided in s. 318.18(2). However, any person not otherwise authorized who is chauffeuring a disabled person or a disabled person confined to a wheelchair shall be allowed, without need for an identification sticker, momentary parking on the public streets or highways, or in any metered parking space, for the purpose of loading or unloading such disabled person. No penalty shall be imposed upon the driver for such momentary parking.

Section 3. Section 316.1956, Florida Statutes, is amended to read:

316.1956 Nonpublic parking spaces for certain disabled persons.—

(1) Any business, firm, or other person licensed to do business with the public prior to October 1, 1977, may provide specially designed and marked motor vehicle parking spaces for the exclusive use of physically disabled persons, or the designated agents thereof, who have been issued stickers for their motor vehicles pursuant to the provisions of s. 316.1964 or who have been issued license plates pursuant to s. 320.0842, s. 320.084, or s. 320.0843.

(2) Each such parking space shall be outlined in the color blue and posted with a sign of a color and design approved by the Department of Transportation, with lettering such as "PARKING FOR WHEELCHAIR DISABLED ONLY" and bearing the internationally accepted wheelchair symbol.

(3) Any person, except a person who meets the requirements for the issuance of such sticker or license plate, who parks in any parking space designated with the symbol HP (Handicapped Person), DV (disabled veteran who displays the proper sticker as provided in s. 316.1964(2)), or the internationally accepted wheelchair symbol is guilty of a traffic infraction, punishable as provided in s. 318.18(2). However, any person not otherwise authorized who is chauffeuring a disabled person or a disabled person confined to a wheelchair shall be allowed, without need for an identification sticker, momentary parking in any such parking space for the purpose of loading or unloading such a disabled person. No penalty shall be imposed upon the driver for such momentary parking.

(4) Any law enforcement officer shall enforce the provisions of subsection (3).

Section 4. This act shall take effect October 1, 1978.

Amendment 2—On page 1 in title, strike all of line 1 through and including line 25 and insert: A bill to be entitled An act relating to disabled persons; amending s. 316.1964(1) and (2), Florida Statutes; providing that certain disabled persons may designate agents to transport and accompany them in public; exempting designated agents transporting said disabled persons from parking fees; amending s. 316.1955(1), (4), and (6)(b), Florida Statutes; permitting designated agents transporting said disabled persons, who display on their vehicles the appropriate sticker, to park in disabled persons' public parking spaces; requiring such spaces to be outlined in blue; amending s. 316.1956, Florida Statutes, conforming provisions relating to nonpublic parking spaces for disabled persons; providing an effective date.

On motion by Senator Wilson, by two-thirds vote SB 653 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gordon	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	MacKay	Scott	Wilson
Dunn	McClain	Skinner	Winn
Firestone	Myers	Spicola	Zinkil
Gallen	Peterson	Thomas, Pat	
Glisson	Plante	Tobiassen	

Nays—None

On motion by Senator W. D. Childers, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator W. D. Childers, by two-thirds vote SB 1197 was withdrawn from the Committee on Appropriations.

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote HB 6 was withdrawn from the Committee on Commerce.

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote HB 1042 was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Henderson, by two-thirds vote SB 880 was withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Myers, by two-thirds vote SB 416 was withdrawn from the Committee on Transportation.

Votes Recorded

By permission, Senator Spicola was recorded as voting yea on the following bills which passed May 25: Senate Bills 963, 337, 419, 14 and CS for SB 508; and nay on SB 277 and CS for SB 169.

ENROLLING REPORTS

SB 277	SB 743	SB 948	SB 1303
SB 439	SB 744	SB 1002	SB 1346
SB 595	SB 828		

—have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 29, 1978.

Joe Brown, Secretary

SB 80	CS for SB 671	SB 758
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—have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 26, 1978.

Joe Brown, Secretary

CO-INTRODUCERS

Senator Jon Thomas—SB 335; Senator Renick—SB 1137

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 26 was corrected and approved.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:32 p.m. to convene at 8:30 a.m., Tuesday, May 30, 1978 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.